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MEMORIALS

OF THE ENGLISH AFFAIRS

FROM

THE BEGINNING OF THE

REIGN OF CHARLES THE FIRST

TO THE

HAPPY RESTORATION

OF KING CHARLES THE SECOND.

BY

BULSTRODE WHITELOCK.

A NEW EDITION, IN FOUR VOLUMES.

VOL. IV.

Quæque ipse miserrima vidi,
Et quorum magna pars fui. VIRG. Æn. ii. 8.

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MEMORIALS

OF

THE ENGLISH AFFAIRS

DURING THE REIGN OF

KING CHARLES THE FIRST.

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1. LETTERS from Ireland of several Irish transported by agreement: Anno 1653. April 1. Irish.

That major Wallis and captain Nelson engaged a party of the Irish at great disadvantage, yet routed them, and killed above fifty of them, and three of their captains dead upon the place:

Of differences among the remonstrators in Scotland, wherein the lord Wareston was very active to justify their proceedings, and that all they did was well: Scotland.

2. Of mischiefs done upon the English traders by some of the Dutch and French picaroons and freebooters:

4. Of a Holland freebooter taken.

Letters that when captain Appleton was taken by the Dutch in the Straits, he privately commanded the gunner to blow up the ship, but he and the gunner were laid hold on by the company suspecting some such thing, and by force hindered from doing it; and the captain was taken prisoner by the Dutch: Captain Appleton.

That the Dutch set the English mariners whom they had taken on shore, but kept the captains prisoners.

5. Ordered by the house, that a certain number of ministers and others be appointed to sit in every county, to examine, judge, and approve all such persons as shall be called to preach the gospel. Ministers.

The fine set upon the lord Howard remitted, and sir John Gell pardoned.

Order for the garrison and castle of Bristol to be dismantled.

Sweden. A public minister came from Swedland, and another from Switzerland.

Cromwell. 6. Upon discourse with Cromwell, I still found him in distaste with the parliament and hastening their dissolution.

7. Some meetings and proposals were made for a treaty of peace with the Dutch, but little hopes to effect it.

An act passed for probate of wills and granting administrations.

Colliers. A fleet of colliers with a convoy of ten men of war put into Scarborough for fear of a Dutch fleet descried at sea, and sent word thereof to the three generals at Portsmouth, whereupon vice-admiral Pen with forty men of war went northward for their assistance.

10. Letters of three hundred sail of colliers with their convoy, which put in at Scarborough for safety from the Dutch, were fired upon by the Dutch but defended by the castle, and the Dutch fleet went off again.

Irish. Some Irish commanders made an agreement with commissary-general Reynolds to lay down their arms and be transported to Spain, or any other place in amity with England, with an exception of those who were guilty of any massacre, murder, or robbery, and their priests not to exercise their function in the English quarters.

11. That some of the Irish rebels having a design to possess and fortify Durs Island were prevented by the English.

12. Kept a day of thanksgiving.

Pamphlet. Holland. A proclamation at the Hague, that whosoever shall discover the author of a scandalous pamphlet, called, *Rotterdam's Discourse between a Merchant and a Citizen and a Statesman*, shall have 500 gilders, and he that discovers the printer to have 250 gilders.

The States gave to Van Trump a gold chain to the value of 2000 gilders, and to Everson and de Ruyter, to each 1500 gilders; and other gratuities to other of their commanders of that faction:

Of English vessels taken by the Dutch capers:

Scots. That the assembly and remonstrating party in Scotland

do not only swell into high words, but end in blows, to the scandal of some of their party.

13. Divers Scots pressed and sent into England to serve in the fleet:

That captain Edwards with a small man of war of six guns brought in a prize of two hundred ton richly laden:

14. Of several prizes taken:

15. That the parts about Scilly are much infested with freebooters, French, Dutch, and Irish:

That one Crichtoun, at Edinburgh, before the justices confessed that he was a Jesuit, and had said mass in several places in that nation, justified his own opinion, and declared a readiness to suffer what should be inflicted upon him; affirming that the worst measure he could receive from men would tend most to his advantage:

Of strange fishes taken in the harbour at Soles-Bay, of ten or eleven foot in length, and none of the like sort seen before:

Of the coast near Jersey much infested by the picaroons pretending commissions from the Scotch king:

That divers of prince Rupert's men stole away from him and came to England: 554

Of the fleet of colliers arrived.

The parliament gave moneys to divers widows whose husbands were slain in the late sea fight.

Order for Hampton-court and the three parks there to be kept from sale.

16. Order for a seal for the probate of wills, and granting letters of administration.

18. 600*l.* in gold was taken on board the packet-boat going for Calais:

That seven Dutch captains were imprisoned at the Hague for not doing their duty in the late engagement with the English at sea; that they were to be tried by Van Trump and eleven more sea officers. Van Trump.

The lord Applebone, resident for the crown of Sweden, had audience of the States, and offered a mediation of peace betwixt them and England, as the lord Lagerfield had done to the parliament:

That there was a mutiny in De Wit's ship, but appeased again.

19. That the queen of Sweden had fifty stout ships, men of war, at sea.

Cromwell. 20. Yesterday there having been a great meeting at Cromwell's lodgings in Whitehall of parliament men and several officers of the army, sent to by Cromwell to be there, and a large discourse and debate having been amongst them touching some expedient to be found out for the present carrying on of the government of the commonwealth, and putting a period to this present parliament;

It was offered by divers as a most dangerous thing to dissolve the present parliament and to set up any other government, and that it would neither be warrantable in conscience or wisdom so to do; yet none of them expressed themselves so freely to that purpose as sir Thomas Widdrington and I then did.

Of the other opinion, as to putting a period forthwith to this parliament, St. John was one of the chief, and many more with him; and generally all the officers of the army, who stuck close in this likewise to their general.

And the better to make way for themselves and their ambitious design of advancing them to the civil government, as well as they were in the military power,

They and their party declared their opinions, that it was necessary the same should be done one way or other, and the members of parliament not permitted to prolong their own power.

At which expression Cromwell seemed to reprove some of them; and this conference lasted till late at night, when Widdrington and I went home weary, and troubled to see the indiscretion and ingratitude of those men, and the way they designed to ruin themselves.

Therefore I came early again this morning, according to appointment, to Cromwell's lodgings, where there were but few parliament men and a few officers of the army, of whom colonel Ingoldsby was one.

A point was again stirred which had been debated the last night, whether forty persons, or about that number of parliament men and officers of the army, should be nominated by the parliament and empowered for the managing the affairs of the commonwealth till a new parliament should meet, and so the present parliament to be forthwith dissolved.

I was against this proposal, and the more, fearing lest I might be one of these forty; who I thought would be in a desperate condition after the parliament should be dissolved; but others were very ambitious to be of this number and council, and to be invested with this exorbitant power in them.

Cromwell being informed during this debate that the parliament was sitting, and that it was hoped they would put a period to themselves; which would be the most honourable dissolution for them;

Hereupon he broke off the meeting, and the members of parliament with him left him at his lodgings and went to the house, and found them in debate of an act, the which would occasion other meetings of them again and prolong their sitting.

Thereupon colonel Ingoldsby went back to Cromwell and told him what the house were doing, who was so enraged thereat, expecting they should have meddled with no other business but putting a period to their own sitting without more delay;

That he presently commanded some of the officers of the army to fetch a party of soldiers, with whom he marched to the house, and led a file of musketeers in with him; the rest he placed at the door of the house, and in the lobby before it.

In this manner entering the house he in a furious manner bid the speaker leave his chair, told the house that they had sat long enough, unless they had done more good; that some of them were whoremasters, looking then towards Henry Martin and sir Peter Wentworth:

That others of them were drunkards, and some corrupt and unjust men, and scandalous to the profession of the gospel, and that it was not fit they should sit as a parliament any longer, and desired them to go away.

The speaker not stirring from his seat, colonel Harrison, who sat near the chair, rose up and took him by the arm to remove him from his seat, which when the speaker saw he left his chair.

Some of the members rose up to answer Cromwell's speech, but he would suffer none to speak but himself;

Which he did with so much arrogance in himself and re-

proach to his fellow members, that some of his privados were ashamed of it.

Parliament turned out of doors.

But he and his officers and party would have it so, and among all the parliament men, of whom many wore swords, and would sometimes brag high, not one man offered to draw his sword against Cromwell, or to make the least resistance against him; but all of them tamely departed the house.

He bid one of his soldiers to take away that fool's bauble, the mace; and stayed himself to see all the members out of the house, himself the last of them, and then caused the doors of the house to be shut up.

Thus was this great parliament, which had done so great things, wholly at this time routed by those whom they had set up, and that took their commissions and authority from them; nor could they in the least justify any action they had done, or one drop of blood they had spilt, but by this authority.

Yet now the servants rose against their masters, and most ingratefully and disingeniously, as well as rashly and imprudently, they dissolved that power by which themselves were created officers and soldiers; and now they took what they designed, all power into their own hands.

All honest and prudent indifferent men were highly distasted at this unworthy action.

555 This occasioned much rejoicing in the king's party, who now daily expected the destruction of Cromwell and his party and army, yet made great applications and congratulations to him; and those of the parliament's party were at a stand; divers fierce men, pastors of churches, and their congregations, were pleased at it, and generally the officers and soldiers of the army; so that one of them did not stick to say to the father, being a parliament man, and the son a captain in the army, that this business was nothing but to pull down the father and to set up the son; and no more but for the father to wear worsted and the son silk stockings; so sottish were they in the apprehensions of their own risings.

Thus it pleased God, that this assembly, famous through the world for its undertakings, actions, and successes, having subdued all their enemies, were themselves overthrown and ruined by their servants; and those whom they had raised, now pulled down their masters:

An example never to be forgotten, and scarce to be paralleled in any story, by which all persons may be instructed how uncertain and subject to change all worldly affairs are, how apt to fall when we think them highest:

How God makes use of strange and unexpected means to bring his purposes to pass.

21. Of differences among the kirk party in Scotland. Kirk.

Cromwell and his party were busy in consultation to find out a new government and governors for their commonwealth. Cromwell.

22. Letters from Holland, that they had surprised the English colliers and their convoy; which kind of news was usually a forerunner of good success to the English. Holland.

Cromwell and his officers ordered that all courts of justice should sit as formerly; and the commissioners sat for probate of wills, and granting of administrations.

Cromwell and his council of officers set forth a declaration of the grounds and reasons for their dissolving of the late parliament, and that all civil officers and magistrates do proceed as formerly in the execution of their offices, and all persons to give obedience to them. Declaration.

We did not proceed in the business of the great seal till after this declaration. Great seal.

25. The generals and captains at sea published a declaration of their resolutions, notwithstanding the late change, to proceed in the performance of their duties, and the trust reposed in them, against the enemies of this commonwealth. Sea captains.

The shires in Scotland, being persuaded by their ministers, did not meet according to summons about the union. Scotland.

Letters from a Scotch minister that the Hollanders had wholly defeated the English at sea, and had blocked up the river of Thames, with sundry other fictions, to persuade the people their way: Dutch.

26. Of an English cloth ship taken by the Dutch:

That the royal interest was cast out by the States of Holland:

That the Dane joined with them.

A messenger brought letters from the States of Holland in answer to the letters from the parliament to them.

27. Some business was recommended to the commissioners

of the great seal from Cromwell and his council of officers, which was proceeded in.

28. Of fifty sail of ships bound for Ireland with provisions, which were stayed at Scilly by contrary winds.

29. Of a soldier in Scotland who had stolen clothes, and coming up to the sentry was shot, and died with the clothes under his arms; other soldiers were sentenced for stealing clothes, boots, &c. out of the stores.

Holland. 30. That Holland was much inclined to have peace with England; but that Zealand was averse to it.

Of an English man of war who fought with two picaroons four hours, and many being slain on both sides they parted.

Of several ships from Stockholm, Gottenburgh, Hamburgh, Dantzick, and other places, arrived in the Thames with hemp, pitch, tar, and the like commodities.

Fleet. That the English fleet now out at sea, and joined together, were an hundred and more gallant men of war, well provided and manned for service.

Cromwell and his council of officers made a committee to examine the grievances and oppressions committed by sir John Lenthal, in managing the prison of the upper bench, both as to the debtors and creditors; and how the same may be redressed.

May 1653.

2. Upon letters from Cromwell and his council of officers to vice-admiral Pen, and the officers and seamen under his command, they returned an answer of submission to their orders, and of their readiness to join with them.

Durham. An acknowledgment and owning of the dissolution of the late parliament sent up from many in Durham, and their engagements to stand to Cromwell and his council of officers.

3. Letters that captain Bodiley, in the Straits, took a very rich ship of the Dutch, a merchantman, and a man of war besides; and that he met and fought the great pirate chevalier de Ferrier, and killed and sunk six hundred of his men:

Of a Dutch man of war burned by accident in the Texel:

Of the English fleet being come near to the Dutch fleet.

The committee touching the prison of the upper bench.

Ordered the debtors there to show cause why their estates

should not be sequestered for payment of their just debts, for which they were in prison.

4. Many acknowledgments of the justice of the late action in dissolving the parliament were sent up to Cromwell and his council of officers from several parties of the army, and from others, in several counties, with engagements to stand by them. Acknowledgments.

An Ostender brought two prizes to Jersey, and set their men there on shore to get moneys for their redemption.

6. Soldiers in Scotland for coining new half crowns of pewter were sentenced by a court-martial to have forty lashes on their bare backs, and to march through the high-street of Edinburgh with a counterfeit half crown nailed to each of their ears, and that pieces of their ears should be cut off with the half crowns, and nailed to the gallows. Coiners.

7. A letter from the officers of the English army at Edinburgh commending Cromwell and his council for the late action of dissolving the parliament, and engaging to stand and fall with them. Cromwell.

A messenger of the council of state brought news, that the English fleet, consisting of about one hundred sail, was so near the Dutch fleet, being about seventy sail, that he saw the headmost of the English fleet fire upon the sternmost of the Dutch fleet, and that the Dutch hastened what they could to escape. 556 Fleet.

Another messenger brought word to the council of state, that the Dutch fleet fled away to the Texel, and were pursued by the English fleet, who took forty or fifty of their dogger-boats from them; that the people in Holland earnestly cry out for a peace with England. Dutch.

Letters that of three hundred Dutch merchantmen who sailed round about by Scotland to get home, six of them were taken up by some English ships there.

9. The committee touching the upper bench prison gave in a list of three hundred ninety-nine prisoners in that prison, and the rules; and that their debts amounted to above 900,000*l*. King's Bench prison.

A remonstrance from the town and garrison of Leith approving the late action of dissolving the parliament, and engaging to assist Cromwell and his officers. Army.

The commissioners for the affairs of Ireland, upon the Ireland.

declaration of Cromwell and his council of officers about the dissolving the parliament, set forth a declaration in Ireland, that all officers, soldiers, and others, should proceed in the execution of their several charges and trusts, that the enemy might not take any advantage of the late change in England; and they ordered a day of public humiliation.

The queen of Sweden offered to the States their mediation of peace betwixt England and them.

Of divers fishermen taken by the English ships.

10. The English fleet sailed by the Texel along the Dutch coast to the northward, and took fifty-four busses going a fishing.

Bodiley. 3. Captain Bodiley returned from the Straits with eight men of war and eight merchantmen to the Downs.

A frigate took two private Dutch men of war.

Army. 11. A remonstrance of the general council of officers at Dalkeith, in behalf of themselves and the forces in Scotland, showing their concurrence with Cromwell and his council of officers at Whitehall in dissolving the parliament.

12. That prince Rupert went little abroad in France, and was very sad that he could hear nothing of his brother Maurice.

Ireland. 13. Letters that some of the Kerns in Ireland having got together in arms, colonel Nelson, with a party, fell into their quarters by break of day, killed about three hundred of them, took nine hundred cattle, and two garrons:

40,000*l.* sent to the soldiers in Ireland:

That captain Barrow took O'Ronie's island in Ireland, and put eighty there to the sword.

14. The council of state ordered new treasurers for the excise, and a committee to consider how all the treasuries of the commonwealth may be best managed:

Of a bark of Jersey taken by a Dutch man of war and a Frenchman, by commission from the Scotch king:

Of much sickness amongst the Dutch prisoners at Southampton, whereof many of them were dead.

16. Letters from the fleet that they were in pursuit of Van Trump and his fleet to the northward, and came upon the coast of Scotland; that divers Dutch mariners, prisoners at Tinmouth, were by the governor distributed into the colliers' ships, and their names taken: this was to avoid the charge of keeping them.

17. A private soldier was sentenced to be shot to death for killing a man in Holborn:

That the English fleet were at Aberdeen in Scotland:

That the Swedes had twenty men of war at sea.

The lord Chandois and count Arundel were tried in the upper bench for killing Mr. Compton in a duel, and were found guilty of manslaughter by the jury. Duel.

One Faulkener, who was witness against the lord Craven upon his sequestration, was tried in the upper bench for perjury in the trial: it was proved, that at Petersfield in Sussex, Faulkener kneeled down upon his knees in the middle of the town and drank a health to the devil.

18. Letters that the Dutch much rejoiced at the dissolving of the parliament, hoping for some disabling of the English fleet thereby; but being disappointed thereof, the common people were earnest for a peace with England: Dutch.

That the king of Denmark stood off, expecting the issue of the business betwixt England and Holland, and fearing the danger of Sweden: Danes.

That monsieur Bourdeaux was arrived ambassador from the French king to the commonwealth of England: French ambassador.

That the generals of the fleet sent orders from Aberdeen for all English ships in the service of the state upon the coast of Scotland to follow and join with them.

19. Letters from the fleet that they were still in pursuit of the Dutch fleet upon the coast of Scotland, but had no other intelligence of them than what they had formerly given to the council. Fleet.

20. Colonel Jones and colonel Ryley agreed upon articles in Ireland for pardon of some of the rebels, and for indemnity and transportation of them. Ireland.

21. Letters that the captain of the clan Ronald, one of the chief clans in the north Highlands, had taken the tender to be faithful to the commonwealth of England; and desired a commission to set out a private man of war against the Dutch: Highlands.

That captain Diamond brought into Pool eight Dutch merchant ships prizes:

23. That colonel Atkins took a Dutch packet-boat with some letters of concernment from Holland to Van Trump.

Army. Letters from the forces in Scotland under colonel Lilburn, directed to major-general Lambert, to be communicated to the army in England, highly approving of the action of dissolving the parliament, and engaging to live and die with Cromwell and his council of officers in the further prosecution of this cause, and for procuring of justice and righteousness and freedom to be settled to this nation.

Dutch. 25. That the Holland merchants, who went round about by Scotland, had slipped by the English fleet, and were returned safe into their harbour with their convoy Van Trump and his men of war, which raised the spirits of the States and their people.

Ireland. 26. The rebels in Cork and Kerry lessened, their general, O'Sullinan Beer, fled to France, and the remaining colonels sent to the lord Broghill for terms of submission.

557 A young conspiracy to bring in Charles II. discovered at Youghall, and the conspirators apprehended.

Cromwell. 27. Cromwell and his council of officers resolved to summon select persons, to be nominated by themselves out of every county, who should be as a representative of the whole nation.

28. Cromwell and his council of officers sat close this week about choosing persons to sit in the next representative:

They also published a declaration for continuing the old commissioners for assessments in the several counties, and the present tax for three months longer.

They appointed a committee to consider how the receipts of the customs and excise might be best managed and brought into one office.

Van Trump. Van Trump came with his fleet into Dover road, having convoyed home all the merchants; he discharged many shots against the town of Dover, whereby some houses were prejudiced but no person slain; the English fleet were to the north of Scotland:

That Dover-castle and the forts playing upon Van Trump's fleet, they tacked about and stood to the southward; that they took three small vessels of the English bound from London to Rohan.

London addresses. 30. Several aldermen and others of London made an address to Cromwell for reinvesting the late parliament; where-

upon divers others of London made an address to Cromwell testifying their dislike of, and dissent from the former, and their resolution to adhere to Cromwell.

To Cromwell and his council of officers came the humble acknowledgment and congratulation of the churches of Christ and other well affected persons, to their proceeding in the county of Radnor. Radnor.

Two Dutch prizes laden with wines taken by two of the English frigates.

An account of several ships of war going to the fleet, and of a guard of ships appointed to ply to the North Foreland for security of the fishermen. Fleet.

31. Of a single English man of war who met with several Dutch fleets of above three hundred merchantmen with their convoys, some from Russia, some from France; and the English ship putting up the Danish colours, and setting only some Danes on the deck which they had on board their ship, they came off clear from the Dutch.

Letters from the Hague that Trump's design in going out towards the Downs was to fire such English ships as he should find there, or in their harbour, or upon the English coast, before their grand fleet should return. Van Trump.

June 1653.

1. The generals of the English fleet being returned near the Texel called a council of war, and sent orders for all men of war in the river and other parts that are ready to sail, to come and join with them.

An account that Van Trump was at Goree with one hundred and twenty men of war, and expected more to join with him.

2. Letters that the English fleet was at Yarmouth, and the Dutch fleet at the back of the Goodwin.

3. Letters of differences among the remonstrators in Scotland about the point of *jus divinum* of their government of the kirk: Scots jus divinum.

That upon the English fleet's appearing near the Texel, divers rich men of Rotterdam and other parts fled into the country and left their houses; that the people cry out for peace with England:

Of a Dutch prize taken near Plymouth:

That a private English man of war of about eight guns took three rich Dutch prizes.

Sea fight. Letters and messengers from the fleet did bring the news that yesterday about noon the English fleet engaged the Dutch about the North Foreland, and the engagement continued very hot and sharp till near night; in which time one of the Dutch admirals was blown up, and three or four sunk, Dean. but not one of the English ships lost; only general Dean on the first onset was slain by a great shot.

This day it was observed that the fleets were engaged again, and the report of the great guns was heard in London and other places remote from sea.

Monk. 4. Letters from general Monk of the fight at sea with the Dutch; that for three hours the dispute was very sharp on both sides, which continued from three to six in the evening, at which time the enemy bore away right before the wind, and little more was done, only the frigates gave chase so long as there was light. One of the Dutch admirals was blown up, and three or four sunk; general Dean slain.

A messenger brought news from the fleet that they had taken twenty of the Dutch men of war, and fired and sunk many more of them.

6. Letters from the generals at sea to Cromwell, and others to the council of state, of the first day's fight with the Dutch at sea, and of the second day's fight with them, which continued four hours; after which they endeavoured to get away from the English as fast as they could; the particulars were not fully known, what ships were taken and sunk, and what men slain, but a list was sent to the council of such as were then known.

An act of the council of state touching the adventurers for lands in Ireland.

Cumberland address. An address from Cumberland approving the actions of Cromwell and his army, and resolving to stand by them and assist them.

7. Letters from Scotland that the two great fleets missed one another, to the admiration of all men; that the malignants report the Dutch to be one hundred and fifty sail of men of war.

That there continues great feud betwixt the assembly and

protesting party about the placing and displacing of ministers:

That the lord Wareston is angry at every thing but himself, and at that, too, sometimes.

Intelligence that about twenty of the Dutch fleet were taken, burnt, and sunk; three fireships taken, one vice-admiral, and two rear-admirals; one rear-admiral towed by the Entrance, being far bigger than herself, having fourteen guns on a tire, and of twelve hundred ton. Sea fight.

But one hundred and twenty-six men slain in the English fleet, none of note but general Dean, and one captain; no English ship lost.

8. Letters were sent from Cromwell to the several persons called to take upon them the trust of the government of the commonwealth, and were to this effect: Cromwell's summons.

Forasmuch as upon dissolution of the late parliament it became necessary that the peace, safety, and good government of this commonwealth should be provided for, and in order thereunto, divers persons, fearing God, and of approved fidelity and honesty, are by myself, with the advice of my council of officers, nominated, to whom the great charge and trust of so weighty affairs is to be committed. 558
And having good assurance of your love to, and courage for God and the interest of his cause, and of the good people of this commonwealth;

I, Oliver Cromwell, captain general and commander-in-chief of all the armies and forces raised and to be raised within this commonwealth, do hereby summon and require you (being one of the persons nominated) personally to be and appear at the council chamber, commonly known and called by the name of the council-chamber at Whitehall within the city of Westminster, upon the 4th day of July next ensuing the date hereof, then and there to take upon you the said trust unto which you are hereby called and appointed to serve as a member of the county of Bucks, and hereof you are not to fail.

Given under my hand and seal
the 8th day of June, 1653.

O. Cromwell.

Further relations of the late fight at sea with the Dutch, but to the same effect with the former; and that the English fleet were still in chase of the Dutch fleet towards their own coast.

9. Letters of two Dutch ships taken by the Warwick fri- Fleet.

gate; that as soon as the Dutch discovered her to be one of the States men of war, they presently submitted to her.

10. Of a tumult lately in Linlithgow in Scotland, the people refusing to receive a minister whom the presbytery would have imposed on them, and some of the kirkmen were soundly beaten in the scuffle.

A ship of Jersey taken by the French.

11. Of a private man of war, of captain Williams, who brought to Pendennis three prizes, whereof one had store of money; but how much it was the mariners took course it should not be discovered.

Another private man of war brought three Dutch prizes into the Isle of Wight.

That the English fleet was before the Bril and other Dutch harbours, blocking up their ships; and that thereupon the Dutch people were in very great confusion.

Highlanders. 13. A party of soldiers being sent into the Highlands to gather the cess there, a company of Highlanders got together in arms, and followed the soldiers eight miles, who making a halt fired upon the Highlanders, and slew their captain; and thereupon all of them fled distractedly, and left divers of their company dead upon the place; those that ran away were too nimble for the English soldiers to pursue them; eight men of war of the English fleet brought into Leith road twenty small Dutch vessels, busses and other prizes.

Declaration. 14. The general and council of state published a declaration to invite all the good people in these nations to thankfulness and holy rejoicing in the Lord, for the late great victory at sea against the Dutch, and appointed a day for meeting of himself and his council of officers to praise the Lord.

This took the more with many people because it was not a command and imposing upon men, but only an invitation of them to keep a day of public thanksgiving.

Lilburn. Colonel John Lilburn arriving at London sets forth an address to Cromwell under this title, *The banished man's suit for protection to his excellency the lord general Cromwell, being the humble address of lieutenant-colonel John Lilburn.*

This was written from his lodging in Little Moorfields, where, by warrant of the council of state, he was taken into custody and committed to sheriff Underwood's house.

15. The English fleet were plying to and again betwixt the Texel and the Fly, to hinder ships coming out from thence to join with that part of the Dutch fleet now at the Weilings, and to stop up their trade and fishing. Fleet.

16. Lieutenant-colonel Lilburn being prisoner in Newgate, now published another address to Cromwell and the council of state for repealing the act of the late parliament for his banishment: for which he gave divers reasons: Lilburn.

Because it was a judgment against him by the parliament according to no law in being.

That the act is a law made after the fact done to ordain a punishment for that fact, which was never ordained or heard of before.

That the parliament which made that law being now dissolved, the law ought to be of no force.

He prays the suspension of any proceedings against him upon that law till the justice of the matter and manner of it be legally examined.

Two small vessels of Scilly laden with provisions for the island were taken by the Brest picaroons.

One of prince Rupert's men in a mad humour leaped overboard into the sea, and was drowned; and another of them, in a bravado, killed himself with his own pistol.

17. The Highlanders in Scotland began to gather together in arms upon commissions they received from the king of Scots. Highlanders.

The English fleet were upon the Dutch and French coasts. Dutch.

18. Captain Steiner brought into Lee Road twelve prizes, Dutch men of war, taken in the late fight, and of Dutch prisoners one thousand three hundred and fifty, who were brought to London and secured in Chelsey college.

An agent came from Holland with letters to Cromwell about their ambassadors coming hither to treat for peace: Cromwell received and carried the letters to the council of state.

20. The last week arrived in England Mynheer Bevering, a commissioner from Holland, and had audience before the council of state, and made a short speech in French for amity between the two commonwealths: this day arrived three more, Newport, Van Dorpar, and Yongstall, commissioners from the United Provinces.

Lieutenant-colonel Lilburn made a third address to Cromwell and the council of state.

A petition in the names of five thousand citizens of London on the behalf of Lilburn presented to the council of state.

Several of the English frigates plied before the Texel and the Fly, as near as they could to the harbour's mouth.

A Dutch prize brought into the fleet, two more escaped, and some frigates were sent after them; more men of war came into the fleet with supplies of provisions and ammunition.

21. An order and declaration of the council of state concerning the determination of several claims depending before the commissioners for removing of obstructions.

The commissioners from Holland came over with a white flag to treat for peace, and were saluted by the English ships as they passed by them.

The English were used uncivilly in Holland: the Dutch prepared for war.

559 Trading with them was dead, corn dear, their fishing prevented, and the people very unquiet: they compute their loss in the late fight to be five thousand men.

Three Dutch prizes taken by the English frigates.

Three English ships taken by five picaroons near the coast of Sussex.

22. Judges nominated by Cromwell and the council of state for the summer circuit.

Great seal. Draughts brought to the commissioners of the great seal, for passing commissions touching the lands in Ireland for the adventurers.

Soldiers sent to the fleet.

Thanksgiving. 23. Cromwell and the council of state kept this a day of thanksgiving for the victory at sea against the Dutch, and it was generally kept throughout the city.

Dean's funeral. 24. The funeral of general Dean was solemnized; his corpse was carried in a barge from Greenwich to Westminster, attended with many barges and boats in mourning equipage; and many great shot discharged as he passed by from ships and the Tower, and guns placed in the way; and he was interred in the abbey.

Mr. Thurloe sent to me, as to others, a note, by direction

from the council, to desire us to be present at the funeral, where we were accordingly, and a very great company of soldiers and others; and Cromwell himself was there.

The sickness increased at Dublin.

Some small vessels upon the north of Ireland were taken by French pirates.

Some great lords met in the Highlands upon a new de- Highlands.
sign, which they kept secret, and pretended a commission from their king.

A prize brought into St. Malos not admitted by the town, being resolved to maintain a free trade with England.

25. The Dutch ambassadors pressed for a speedy treaty of peace.

The English fleet were still plying before the Dutch harbours.

27. An address from the forces of Jersey to Cromwell and Jersey.
his council of officers, that they will stand and fall, live and die with them.

That a small party of the English horse in Ireland routed a Irish.
party of the rebels four times more than themselves in the county of Kerry, killed sixty of them, and took divers prisoners. The English were but thirty horse, and two files of musketeers; the rebels were about four hundred.

The States of Holland strengthened their garrisons, armed Dutch.
the boors by the sea-coast, and marched some land forces into the towns near the sea, being alarmed by the English fleet; and their people were very unquiet, and apt to tumults and sedition.

The fleet before the Texel took a vessel going with instructions to their fleet coming in with young Van Trump, that they and their East-India fleet and other merchants should go to Norway and the Sound.

Three merchant ships taken by the English fleet.

A rising of some people in Holland for the prince of Orange.

28. A petition of many thousand prisoners to Cromwell Petition.
and his officers for liberty; that Magna Charta may be in force, and no arrests for debt, &c.

Prince Rupert going to swim in the river of Seine was in danger of drowning, but saved by the company.

29. Cromwell and the council of state passed an order for-

Fens. bidding all riotous assemblies in the great level of the fens, and the throwing down of fences and enclosures there.

Hamburgh sent supplies of ammunition, guns, &c. to Holland.

30. Prince Rupert in mean condition with a few men in France.

July 1653.

Address. 1. An address to Cromwell and his council of officers from the commission officers of Limerick and Clare in Ireland, of joining with him.

Some prizes taken upon the Scotch coast by captain Rudlee.

2. Fifty Dutch merchants from the Sound convoyed by twelve Danish men of war for Holland.

Nassau. William of Nassau coming to Amsterdam upon a design to surprise that town, hardly escaped with his life from thence.

Letters that the English fleet had taken five ships laden with masts, pitch, and tar; two from Stockholm, which, besides other rich goods, had two hundred copper guns in their hold; three ships laden with corn, two others from Denmark, and two from the Straits, one laden with oil and the other with silks.

Cromwell's new supreme authority. 4. The persons summoned by Cromwell to take the supreme authority appeared in the council chamber at Whitehall, about one hundred and twenty of them; and being set round the table, Cromwell and the officers of the army standing about the middle of the table, Cromwell made a speech to them, showing the cause of the summons, and that they had a clear call to take upon them the supreme authority of the commonwealth; and he urged divers scriptures to admonish and encourage them to do their duties.

Then Cromwell produced an instrument in writing, under his own hand and seal, whereby he did, with the advice of his officers, devolve and intrust the supreme authority and government of this commonwealth into the hands of the persons then met.

And that they, or any forty of them, are to be held and acknowledged the supreme authority of the nation, unto whom all persons within the same are to yield obedience and subjection:

That they should not sit longer than the third of November 1654, and three months before their dissolution to make choice of other persons to succeed them, who are not to sit longer than a year, and to be left to them to take care for a succession in government.

Then Cromwell and his officers withdrew, and the persons met did adjourn themselves to the next day in the parliament house, and appointed to keep a fast there, to seek God for his direction and blessing.

It was much wondered by some, that these gentlemen, many of them being persons of fortune and knowledge, would at this summons, and from these hands, take upon them the supreme authority of this nation; considering how little authority Cromwell and his officers had to give it, or these gentlemen to take it; but it was accepted by them.

An address to Cromwell from many well-affected in Lincolnshire, to stand by him, &c. Address.

5. The summoned gentlemen met in the parliament house, and kept the day in humiliation and prayer.

After which ended, they resolved that Mr. Rouse should sit in the chair for a month; and that Cromwell, Lambert, Harrison, Desborough, and Tomlinson, do sit in the house as members; and that Mr. Scobel should be their clerk. 560 New supreme authority.

A list of twenty Dutch prizes brought into Lee Road by captain Wright.

Cromwell and the council of state ordered the continuance of the powers of the commissioners of indemnity.

6. The new supreme authority met in the parliament house, and resolved to take the name of *parliament*; then they appointed a day of prayer in the house.

7. The Highlanders had a rendezvous, but few of them appeared, the aid they expected from the Dutch failing them.

The Warwick frigate exchanged a broadside with a Dutch man of war, who thereupon got away from her: divers French picaroons infested the coast of Jersey.

The king of France proclaimed down his money a penny in a louis, to the prejudice of Jersey, where there is little other money.

8. An East-India merchant ship was encountered near Falmouth by two Dutch freebooters, who left the English

ship after some shot exchanged between them and two Englishmen slain.

Orange. The Orange party gathered heart in Holland, and carried on their design to make the young prince their captain-general, as his father was.

Dutch. 9. The people in the United Provinces were full of discontent by reason of the war with England, and apt to fall into sedition.

The English fleet still continued plying before their harbours.

11. The parliament kept a day of humiliation and prayer in the house.

The Highlanders had a rendezvous, and fell upon some of the English forces: what the issue thereof was, the news was not come.

Parliament. 12. The sergeant-at-arms, Birckhead, attended the speaker of this parliament with the mace, in like manner as he had attended former speakers.

13. The parliament passed a declaration to stir up the godly of the nation to seek God for a blessing upon their proceedings.

They debated the business of tithes.

Lilburn. Lieutenant-colonel Lilburn was arraigned at the sessions in the Old Bailey upon the late act for his banishment.

A petition from Hertfordshire in the behalf of him.

14. Lieutenant-colonel Lilburn was brought again to his trial; but he urged for further time, in regard the counsel assigned him refused to appear for him, only sergeant Maynard, who was sick; and he had an order for a copy of his indictment.

Tithes. 15. The house debated the business about taking away of tithes, and the difficulty was to find an expedient for satisfying impropriators therein, and for providing some maintenance for the ministry.

The question was put whether the question should be put, that tithes should continue till November next, and it was resolved in the negative.

Scotland. The judges in causes criminal in Scotland sat, and adjudged some to be hanged for the murder of some troopers of colonel Okey's regiment, and some to be whipped for robbing houses.

A madman in Shrewsbury proclaimed king Charles the Second.

16. The towns of North Holland, after the example of Enchuysen, declared for the young prince of Orange, desiring that all force might be raised in his name and authority. Prince Orange.

The English fleet lay before the Texel and the Fly.

Some French picaroons infested the coast.

The house debated the business concerning propriety of tithes, whether it was in the state or in particular persons. Tithes.

Lieutenant-colonel Lilburn was again brought to his trial, but nothing done in his business.

18. The parliament appointed a committee to consider of the claims and propriety of all persons interested in tithes.

The Highlanders in Scotland stole from the lord Belcarris, who was in arms to join with them, two of his best horses.

The Dutch had one hundred and ten men of war ready to engage the English fleet, and to drive them off from their coast, and the Orange party hoped that most of the fleet would declare for the prince; and though they were beaten, yet their spirits were up still against the English. Dutch.

They were high upon the right of their fishing at sea, and to be equal sharers with the English in the dominion thereof, and the English with them blow up their humours.

Trump was going forth to draw the English from their coasts, that in the mean time their East-India fleet might slip in, which had eight hundred bales of Persian silk, besides many other rich commodities.

That none knew the time of their return, but six of the East-India company, who were under an oath of secrecy, and had power to send advice and instructions to them for their security.

The queen of Sweden had an army and navy ready, and the Dutch feared that she would fall upon their confederate the king of Denmark, she having claimed a property in the Sound, and demanding satisfaction for some goods of her subjects in the English ships seized by the king of Denmark. Sweden.

19. Captain Bun, of an English frigate, took three Dutch vessels laden with corn, and sent them to Leith.

Committees. 20. The parliament made several committees:

1. To consider matters touching the law.
2. Touching prisoners and prisons.
3. For inspection into treasuries, and easing public charges.
4. For Ireland.
5. For Scotland.
6. For the army.
7. For petitions.
8. To consider what shall be offered about public debts, public fraud, and breaches of trust.
9. For regulating commissions of the peace, and for making provisions for the poor.
10. For advance of trade.
11. For advancement of learning.

A commotion was at Bergen op Zome for the prince of Orange.

A list of several ships taken by the English from the Dutch.

A list of many persons condemned and executed for murder, by sentence of the high court of justice in Ireland.

21. Colonel Cobbet, with several ships of war, prepared for
561 a design to reduce Lewes island in Scotland, to hinder the Dutch fishing, and for securing the Scotch trade.

Laws. 22. The parliament referred it to a committee to consider of the laws that hinder the progress of the gospel, and for repealing of them.

Referred to a committee to consider of a way for marriages.

The Greyhound frigate brought into Leith five prizes taken by her near the Sound, two Danes and three Dutch busses.

The Little Falcon brought in three prizes to Leith from Norway.

23. Three English frigates took two great merchant ships of Zealand richly laden with fine goods.

Fleet. Letters from the fleet that they were two leagues off the Texel, and that the Dutch were much divided in their counsels, and not ready to come out.

Kirk. 25. The general assembly of the kirk being met at Edinburgh, as soon as the sermon was done, and they gone to the assembly house and entered upon their business, lieutenant-

colonel Cotterel went in to them, and, standing upon a bench, with a loud voice proclaimed, that no judicatory ought to sit that had not authority from the parliament of England;

And so causing them to depart, he conducted them with a troop of horse and a company of foot out of the west gate; then, bidding them to close in a round circle, environing them with his horse and foot, he blamed them for their bold meeting, took in their commissions, required them not to meet three together in a company, and by eight o'clock that morning to quit the city, and repair every one to his own home.

Great distractions were in Holland, and fear of tumults for want of trade; yet were they very high in their discourses and in preparations for the war. Holland.

The committee for petitions ordered that the petitions to be brought into them be subscribed by some member of the parliament, who serves for the county or city from whence the petition comes, or otherwise by any member of the house. Petitions.

26. A ship of Stockholm laden with tar and iron brought into Falmouth.

The English fleet were within a league of the Holland coast plying between the Texel and the Fly.

The Spanish ambassador took his leave of the queen of Sweden at Stockholm, and she appointed one of her ships of seventy brass guns to carry him to Gottenburgh.

27. A petition presented to the parliament, by the title of *the parliament of the commonwealth of England*, from several well-affected persons in the county of Essex;

Owning this parliament's authority, and praying them, for Christ's sake, so to manage it, as those that are set for a terror to evil doers, and the praise of those that do well.

The Phœnix frigate brought into Harwich a Dutch man of war, whom they supposed to have sunk an English collier's ship and killed her men, there being many English men's clothes found in the Dutch ship: therefore her men were sent prisoners to Colchester. Frigate.

28. Letters of the troubles in France raised by the prince of Condé, and the hopes of the king to reduce Bourdeaux.

29. Some ragged forces were raised in the Highlands in Scotland, the lord Glencairn to be their general, and they Highlands.

were promised great assistance from the king, and assured that the Dutch had gotten a very great victory lately at sea against the English: bread was very scarce with them.

Proclamation. The commander-in-chief in Scotland of the English forces published an order at the market-cross at Edinburgh, by beat of drum and sound of trumpet, that he taking notice of the great concourse of people to Edinburgh, which might hazard the disturbance of the peace;

It was therefore ordered, that all lords, lairds, ministers, and others, that had not their constant residence there, or a public call thither, or suits of law of immediate dependency, should depart the town in twenty-four hours.

A hundred sail of Dutch merchantmen were riding in Newhaven road, waiting an opportunity to get home.

Two English ships fought with two Dutch ships near Leghorn, and after a sharp fight took them.

The treaty betwixt the king of Denmark and the States General was ratified, and the king repaired his forts near Sweden.

30. The States promised extraordinary pay to their seamen, which brought in many.

The Dutch took some English coal ships and other vessels prize.

An English merchantman bound for Malaga, lying at Gravesend, some of her men going into the hold with a candle, and being careless, the candle took hold of some oakum, which immediately set the ship on flame, and consumed it as far as the water would suffer.

August 1653.

1. Letters of one hundred Hollanders in the sight of the English, who engaged with them about six o'clock in the afternoon, and fought until about twelve at night: the dispute being very hot at that time, what the issue was it could not then be known, but the English had the wind of the Dutch at the beginning of the engagement.

2. Referred to the committee for the inspecting the treasuries and regulating officers and salaries, to consider how the excise may be brought in with the greatest ease to the people, and how the oppressions and burdens which have been in the managing of that business may be redressed for the future.

And to consider of the grievances in granting of wine licenses, and the title of those who take upon them to grant those licenses.

An act passed for the taking away of fines upon bills, declarations, and original writs.

A petition from the apprentices of London on the behalf of lieutenant-colonel John Lilburn, which gave such offence to the house, by the language of the petitioners, and the manner of presenting, that the petition was voted scandalous, and the six young men who presented it were ordered to be imprisoned. Petition for Lilburn.

Referred to the council to examine the business of the apprentices' petition.

Ordered that Mr. Lilburn be kept close prisoner.

Mr. Rouse to continue speaker for one month longer.

Letters of two Dutch prizes taken before the Fly:

Of robberies done by the Highlanders:

That Argyle endeavours to prevent any joining with them by those in his country: 562

That the Scots ministers are angry among themselves.

3. The commander-in-chief in Scotland dissolved the assembly of the kirk there.

Letters to the parliament:

That July the twenty-ninth, about nine in the morning, having weighed anchor the night before, the Dutch fleet was discovered by our scouts ahead, which within two hours after appeared to be the Dutch fleet come from the Waylings, consisting of ninety-seven ships, or thereabouts, whereof ninety were men of war, whereupon we made what sail we could after them, fitting our ships in the mean time for an engagement. But the enemy tacked about, and stood off from us, as soon as they perceived what we were; so that it was five o'clock in the evening before any of our frigates could come up to engage them; which they did. Letters of a sea fight.

And this forced them to make a halt, whereby in the evening, at seven of the clock, the Resolution, with as many ships and frigates as made up thirty sail, engaged with them; the rest being astern could not get up; however, we fell to work, and continued fighting till night parted us, which was about nine o'clock.

After which, being dark, all hands were at work to bring some new sails to the yard, and mend the rigging, wherein we had suffered very much in so short a time: there were killed outright sixteen, and twenty-five wounded, of whom fourteen dangerously.

The next day little was done as to any engagement, both fleets finding it work enough to get off from a lee-shore, the wind blowing hard, with thick and dirty weather, which was the worse for us, being in an enemy's country; and in the evening it began to clear up.

This morning being fair and little wind, both fleets prepared for a new engagement; the enemy bore in upon us, having the wind of us: to this time the Lord seemed to encourage the enemy, by laying the scale as it were in the balance, so that neither could tell which had the better.

About seven in the morning their great ships from the Texel, being twenty-five in number, had made a conjunction with them, and there began a very hot dispute, which continued till one in the afternoon; the enemy having the wind of us all the while, whereby he had the opportunity of taking all advantages.

Yet by this time the Lord had so daunted the spirits of the enemy that they begun to bear away from us, making all the sail they could with the remainder of the fleet, being not above sixty left of their whole number.

So far as I could discern, there cannot be less than thirty or forty sunk, taken, and destroyed: we are now in pursuit of them, some of our best sailing frigates being almost up with them; and our expectations still are great.

The enemy had nine flag-ships when we first engaged, and now but one left; some of them, I know, are sunk.

In this engagement we had but two ships of ours fired by them, one of them is the Oak; most of her men were saved; the other had not any of her men saved. The Worcester frigate took the Garland, which had been formerly taken from us by the Dutch, but our men were forced to fire her.

Van Trump's flag was shot down in the morning, and could not be made stand all the day after.

The parliament spent a day in their house in praising God for this great mercy, and praying for a right improvement of it.

4. Letters from general Monk aboard the fleet to the parliament of this fight, to the same effect with the former.

Petition from Kent.

5. A petition from Kent to the parliament for taking off the tithes; and the speaker told them, the house was satisfied of their good affection to the parliament; and as for the matter of their petition, part of it was under consideration, and that the parliament would do as the Lord should direct them.

After a long debate of this day and yesterday the house voted, that the court of chancery should be taken away, and the committee of the law to bring in an act accordingly; and another for the causes now depending, and for future relief in equity. Court of chancery.

Whereas the parliament appointed a committee to consider of such petitions as are directed to the parliament, and to present such of them only to the parliament as are proper to the legislative power, or not relievable elsewhere; and to examine witnesses upon oath if they shall see cause, and state the matter of fact, and report to the parliament, and their opinions touching costs for the persons unjustly molested;

And this committee having in their hands about two hundred and forty petitions, which, according to the said order, they are to consider of and examine; they resolved to receive no more petitions for one month, except for lives or public concernment; whereof all are to take notice, and not to put themselves to unnecessary attendance.

Several murderers condemned by the high court of justice in Ireland. That the enemy there was so wholly vanquished that not a tory or a woodkern was to be met with.

That a great part of the army there was reduced, eleven regiments of foot and four regiments of horse, besides all non-regimented troopers and foot companies, all of them reduced, being five thousand foot and three thousand horse.

A special regard taken of all the field officers and other officers; that the accounts of the army were audited, and care taken for the satisfaction of all, and to give them possession of lands for their arrears.

6. That seven thousand tories were marching to the seaside in order to their transportation for Spain:

That an English merchant ship by storm and fog fell in among eight Dutch ships, yet got away from all to Plymouth.

Letters of the Highlanders plundering the Lowlands and taking some horses:

That captain Drew brought in three Dutch prizes; their scout vessels sent to give advice to their East-India fleet to put in at Norway or the Sound, because the English had a strong guard upon the northern coast.

The Dutch beaten. Letters from general Monk and vice-admiral Pen of the late success against the Dutch, to the same effect with the former; and that we had sunk thirty of the enemy's men of war, taken one thousand prisoners, whereof vice-admiral Everson (one of their most valiant and best seamen) was one:

563 That we lost two hundred and fifty men slain, and seven hundred wounded: captains of ours slain were, Graves, Cox, Chapman, Taylor, Newman, Crispe, and Peacock; and captains wounded were, Stokes, Seaman, Rouse, Holland, and Cubi; and that the enemy's loss is by conjecture about three thousand.

8. The commissioners for administration of justice in Scotland published a proclamation for reviving some ancient laws, and for prevention of the exorbitances of broken Highlanders, borderers, and such as disturb the peace.

9. Order for a day of thanksgiving for the late good success at sea, with a narrative to be publicly read.

Gold chains for the officers. Order for several gold chains to be given from the parliament to general Blake, general Monk, vice-admiral Pen, and rear-admiral Lawson, and to the four flag-officers; and medals to be bestowed among the officers of the fleet, as marks of the parliament's favour and good acceptance of their service.

An additional act passed for stating and determining the accounts of the officers and soldiers in Ireland.

Much debate upon the act for marriages, and the registering thereof, and of births and burials:

That a private man of war of Scilly took a prize, which was again taken from him by two Dutch men of war, and retaken again by the President frigate.

That the Dutch have gotten again about one hundred and forty sail of ships, besides fireships; that three of their States are to go in the fleet and advise; and they have proposed a reward to those who shall take any of the three English admirals, and the benefit of their ships; that tumults were amongst them, but pacified: great guns were heard off at sea.

10. Two of the Dutch deputies to the parliament went away upon the news of the late victory.

Upon the petition of lieutenant-colonel Lilburn's wife, the

vote for his close imprisonment was taken off, and he ordered to be tried at the sessions in the Old Bailey.

11. That the king of Scots was sick of a fever at Paris.

The Dutch surprised four English ships in the East-Indies, traders from port to port.

Lilburn's trial proceeded at the sessions house.

12. Letters that the Highlanders in Scotland were gotten into a considerable body:

That a declaration was published by the commissioners for visiting universities in Scotland, and placing and displacing of ministers, which did much astonish the kirkmen:

Of pirates on the coast of Jersey, who were succoured and assisted by the French, who would not permit a vessel of the parliament's to have fresh water in their shore, and a Bristol merchantman, taken by the Hart frigate, which was lost to the Dutch, and now manned out by them.

13. Letters of two Dutch men of war that came into Burlington-bay to surprise ten barks there, which cut their cables, and went into the pier, and so were preserved:

That the parliament's ships on the north coast brought in a Danish ship of great value and several other ships prizes, and cleared that coast of picaroons:

That prince Rupert was gone to Nantes, to make the best of his robberies:

That many thousands of the Irish were transported for Spain:

That old Van Trump was dead, killed with a cannon-shot in the late fight with the English, and that many others of note were slain. Old Van. Trump dead.

Upon information of designs in hand against the parliament,

Order for an act for erecting a high court of justice.

That a standard was set up for the king of Scots in the Highlands, and Middleton was among them; and some landed out of Ireland, and came to them.

14. Cromwell and his officers of the army having long lived by the sword, and gained great honours and fortunes in serving their brethren of the parliament, and having got the dominion over the king's party by a total subduing of them;

And now having likewise got the dominion over their brethren and masters, from whom they took their commissions, and removed them from their power, (an act of high ingratitude and imprudence,) had now all in their own power, and had shook off the yoke of all authority but their own from their necks; they had appointed the little parliament whom they chose, and commanded them and all things both military and civil in the nation.

15. Letters that the Highlanders were up in a body of four thousand, Glencairn their general, Middleton, and some other English officers, and the earl of Argyle's son, was with them:

Of the refractoriness of the Scots ministers:

That the Hollanders endeavoured to lessen their losses in the late fight; that the States keep guards in several places to prevent tumults, and give it out that the English were beaten in the late fight; that twenty-five of their ships carried themselves as rogues, and kept without cannon-shot.

The marriage act passed.

16. The act passed touching marriages.

A committee appointed for trade, and to receive informations touching the good of the commonwealth.

Order for an act touching public debts.

Votes concerning the public revenue.

Mr. Lilburn's trial at the sessions proceeded.

17. Order for a general day of thanksgiving for the success against the Dutch; and the declaration and narrative of that business was passed.

19. Several persons secured by the commander-in-chief in Scotland for having intelligence with the Highlanders.

That Argyle set out a proclamation declaring all those to be traitors who joined with his son.

That the king of Scots' standard was set up in the Highlands, and they were raising more forces to join with Glencairn in the Lowlands.

That Middleton was landed in the Highlands with arms and ammunition.

20. Of three Dutch prizes taken by the French.

A charge against sir John Lenthal referred to a committee.

Order for an act for redress of grievances touching prisons and prisoners.

A committee to consider of a new body of law.

Orders touching arrears of some officers in Ireland, and for sale of some delinquents' lands to defray public charges.

About twenty Dutch vessels taken by Lawson, who had fifty sail upon the Holland coast, and more going out to him.

The jury found Lilburn not guilty; he pleaded long for himself. Lilburn acquitted.

Vice-admiral Lawson, with sixty ships, was upon the coast of Holland before the Dutch had got out. 1654

Letters from Holland, acknowledging their loss in the late fight to have been twenty-seven ships; and of men slain, drowned, wounded, and prisoners, six thousand. That the English merchants there left the country for fear of the rage of the people; that at the Hague they began to be sensible that they had not a victory. That the Dutch labour to get France to them. That the States clapped up three Englishmen, pretending they had correspondency with England; one of them they racked, and threw the other two into the dungeon. They appointed a day of public fasting and prayer.

23. The house was called, and the absent members appointed to attend by a day.

Orders upon reports from the committee of petitions.

Order for an act to take care of idiots, lunatics, and infants.

Order for Hampton-court and the parks there to be sold.

An act passed touching marriages, and the registering of them and of births and burials.

25. The solemn day of thanksgiving for the victory against the Dutch.

26. Letters that colonel Morgan marched with some forces to Inverness; but the Highlanders, being about seven hundred in a body, and three hundred horse, would not find the English nearer than two miles distance; and that upon the news coming to them of the victory at sea against the Dutch, they presently dispersed themselves. Highlanders dispersed.

27. Vessels chased into Plymouth and Falmouth, being merchantmen. A convoy appointed for them.

29. Colonel Lilburn marched towards the Highlands, to suppress any commotions in those parts.

The ministers in Scotland published their reasons against the declaration of the English commissioners, and in justification of their praying for the king, and the answer to those reasons.

30. An act passed for the bringing in the arrears of the excise.

Referred to the council to examine and take order to punish a riot lately committed in Staffordshire, in pulling up the fences of some enclosures, and laying the grounds unto the common fields again.

Vote for all occupiers of deans' and chapters' lands, yet concealed from the state, to discover the same by a day, on pain of sequestration.

Orders of the committee of petitions, for petitioners in private matters to set the matters down in writing in particular, and the witnesses' names to each particular.

31. Letters of a fleet of twenty sail of Hollanders gone towards the Orkneys, and an express sent thither from the English fleet:

That the Highlanders in commotion in Scotland were dispersed.

September 1653.

1. Upon information to the council of the escape of divers Dutch prisoners, and their being shipped, and transported again into Holland; they prohibit any to transport them, unless they have certificates from the parliament of their discharge from their imprisonment.

2. Many ministers did forbear to pray for the king by name; but prayed for all in distress, from the highest to the lowest.

Petition. A petition to the house from the lord mayor, aldermen, and common-council of London, wherein they pray,

That the precious truths of the gospel may be preserved in purity, and the dispensers thereof, being approved to be learned, godly, and void of offence, may be sent forth to preach the gospel.

That their settled maintenance by law may be confirmed, and their just properties preserved.

That the universities may be zealously countenanced and encouraged.

The petitioners had thanks for their good affections, and

were desired to continue their care of the peace and safety of the city.

3. Orders touching compositions of delinquents.

The ship Love, from Surat, richly laden, was followed by seven Dutch ships, who, viewing her posture and strength, did not make any attempt upon her.

The parliament's frigates lying before the Fly took eighteen Dutch vessels, some of them fishermen, and some busses, and sent them to Yarmouth.

4. The Lord's-day, the messenger of the council having brought to me early the letter from Cromwell, to give me notice of my being nominated to go ambassador for Sweden, much company came to visit me, because some of them thought I might come in favour again;

Though before, being left out of the little parliament, and a vote having passed for the taking away the chancery, these very persons neglected their former frequent visits.

5. Long papers sent up to London, of answers to the Scotch ministers' papers of reasons why they ought not to be troubled for praying for the king.

6. Letters that near Malaga an English ship brake through a whole squadron of the Dutch, and by all their shot at her had not one man killed or wounded.

Many freebooters upon the coast of Falmouth:

That the Lilly frigate had taken two freebooters of the French.

An order given by the council of state to the admiralty for the trial of them, because they had a commission from the king of Scots.

7. Particular letters of the business of the French freebooters.

8. Letters of seventeen sail of the Dutch ships in the Straits disturbing that trade, and that they had taken one English vessel:

That the Highlanders were all quiet.

Messengers sent to colonel Lilburn to clear some countries from any suspicion of assisting the Highlanders.

That the lord Lorn, with one hundred and twenty horse, came near some of the English quarters, and the soldiers coming out upon them, the lord Lorn retreated; and that his father, the marquis of Argyle, hath cast him off.

9. That the chief of the Hebrides had sent to the English

commander for protection for themselves and their people under the parliament's government.

10. Of thirty-five Dutch prizes brought into Yarmouth and thereabouts, laden with French wines, fish, and other commodities:

That the foul weather drove the English fleet from the Holland coast, upon which De Wit got out with sixty men of war to convoy their east country fleet, and to fetch home their East-India ships from Copenhagen.

12. That the English were in possession of Lewes-island, a place of great consequence for the English affairs, particularly as to the Highlanders:

565 That the lord Lorn with his party killed and wounded twenty of the English, but were driven away:

Of six prizes taken by the frigates from the French:

That the Dutch East-India ships were at Copenhagen:

That the Lilly frigate was cast away by a violent storm near Weymouth, four of them drowned as they endeavoured to get on shore upon the mast and planks of the ship; the captain and twenty-eight others, who stayed in the ship after the ship was sinking, were saved by boats sent from Weymouth.

Several orders. 13. Order for a bill to dispose two parts of papists' estates for public uses;

And for another, for sale of the forest lands;

And another, for sale of some houses and lands of the late king, formerly exempted from sale;

And another, for the sale of the remainder of deans' and chapters' lands.

Referred to the council to take order for suppressing forged briefs and patents, and for punishing them.

Letters that the fleet was safe after the late great storms:

That eighty Dutch ships belonging to the merchants were got through the Channel safe into Ireland; and De Wit, with sixty men of war, was gone eastward, to convoy two hundred merchantmen trading to the east country.

14. Complaints from Cornwall against the freebooters of France, who took many English vessels; and of the want of convoys for trade on that coast.

Order for thanks to God within the house for the preservation of the fleet.

Vote that the lord Whitelocke shall go ambassador from this commonwealth to the queen of Sweden, and referred to the council to prepare instructions for him.

Debate for ease of the public charge by multiplicity of officers and unnecessary charges.

16. Letters of a defeat of some few of the Highlanders; of three Dutch prizes brought in.

Petition of purchasers of sir John Stowel's estate: ordered to enjoy their purchases quietly.

The act passed for the relief of creditors and poor prisoners.

An act passed for continuance of the jurisdiction of the county-palatine of Lancaster in sergeant Bradshaw and Mr. Fell.

17. Of a ship richly laden, belonging to Hamburgh, wrecked near to Plymouth.

Letters of the king of Scots being again fallen sick at Paris:

That a hurricane in Barbadoes cast away thirteen ships there of the English:

Of shipwrecks at the Severn-mouth, and at Mine-head; that the storms beat in the pirates, and two of them were cast away at Anglesey.

19. Letters from colonel Lilburn, commander-in-chief of the parliament's forces in Scotland:

Of the conveniency of the harbour in Lewes-island; of fortifications appointed there:

Of a quarrel between the lord Lorn and Glencairn:

Of great shipwrecks upon the northern coast of the English vessels.

Petition from the town of Sudbury, deploring the want of fruitfulness for mercies, and owning instruments of good, and fearing the judgment against Eli's house: they pray that burning lights may be placed in all parts of the land, and maintenance provided for them: Petition.

That ignorant and scandalous preachers may be ejected, and not readmitted, and the ungospel-like power of patrons may be taken away.

20. Referred to a committee to consider how to sell forest lands.

Order for a bill to have probates of wills in all counties.

Order for the house to sit in a grand committee to rectify the inequality of taxes.

Proposals touching Guernsey and Jersey, and touching a mine of coals in the new forest.

Letters of surprisal of the town of Enchusen by the States, for their riotous and mutinous carriage.

Orders of the States for trial of the Dutch captains who neglected their duties in the late engagements with the English at sea.

21. Orders for farming of the excise.

Orders for a bill for the sequestering the estates of delinquents since January, and a sixth part of their estates to be given to the discoverers.

23. Letters of murders committed by the Highlanders upon English soldiers under pretence of friendship, and treacherously, and the murderers applauded by the Scots for it.

Ministers accused and committed for praying for the king.

Of prizes taken by the English ships and sent into Yarmouth-road.

24. Letters of part of the fleet come into the Downs, and the Resolution and others come into Chatham:

Of the French pirates increasing, and having commission from the king of Scots.

26. Of the Irish pirates taking English vessels:

Of the bitter enmity of the French, especially at Brest, against the English, and their entertainment of the Dutch, and the king of Scots' ships joining with the Dutch:

That the lord Lorn went to his father's tenants in the Highlands to rise with him, or else that he would take them for enemies.

27. The act passed for the adventurers in Ireland.

The bill passed for relief of creditors and poor prisoners.

Order to admit the countess of Derby to composition.

Hampshire petition.

28. The recorder of Winchester, Mr. Hooper, and others, brought into the house a petition from the well-affected in Hampshire, in behalf of the ministers, against taking away of tithes, being above five hundred years' growth, confirmed by Magna Charta, &c. The petitioners had thanks for their good affections.

That Mynheer Opdam had accepted the command of lieutenant-admiral of the Dutch fleet.

29. Letters that colonel Cobbet had landed eight companies in Mula island, and gave notice to the inhabitants of the cause of his coming: they, with the consent of the marquis of Argyle, submitted to the English government:

Of a ship cast away on the coast of Scotland, wherein were the provisions for the army, and another, wherein sixty men were drowned, and but one saved.

Of colonel Cobbet's subduing divers castles in the Highlands, the inhabitants and soldiers flying away and making no resistance, and at last came to an engagement to act nothing prejudicial to the parliament of England, and to pay cesses as other counties.

30. The lord Taffe sent to the Highlanders in answer to 566
their message to the king of Scots.

Letters of Dutch prizes sent into Aberdeen, and of six Dutch prizes sent into Leith.

October 1653.

1. Frigates sent westward.

All the parliament's frigates repaired and sent out again to sea.

An act passed for the probate of wills in the several counties.

3. The Hamburgh fleet safely arrived with masts, deal, gunpowder, &c., convoyed home with four men of war, though twelve Dutch men of war were sent out to intercept them.

Letters that De Wit was arrived at Copenhagen with three hundred merchantmen and forty men of war, and was to convoy home their East-India ships, and other merchantmen put in there and in Norway for security.

A petition to the parliament of the godly party in Salop to the effect with former petitions.

Referred to the committee of petitions to report to the house, &c.

4. Votes passed for taking away some offices, and reducing of salaries, for the ease of the commonwealth.

Thomas Bulstrode and others continued commissioners of the excise.

Order for a letter to be sent to the Cantons of the Switzers.

Order touching the customs, and to prevent abuses therein.

5. Letters that Argyle showed great civility to the parliament forces at Mula island:

Minnes. That captain Minnes, of the Elizabeth frigate, off about Diep, getting the windward gauge of thirty sail of ships, found three of them to be Dutch men of war, which he engaged; and after some dispute he forced them to bear away clear from him, but could not pursue them, both his masts being shot quite through; but he fell in among the merchantmen, and brought twenty of them into the Downs, who pretend to be of Hamburgh and Lubeck.

6. Letters that the emperor had sent to the States to demand the imperial towns, which was of great consequence in respect of England.

7. Letters of some commotions of the Highlanders, and their killing of two English soldiers, and taking three prisoners; that Middleton was solicited by the Dutch to attempt some of the northern harbours:

Of an English ship taken by a Dutch picaroon:

That two days after the Hamburgh fleet came away, the Dutch came with thirty men of war to have surprised them.

Committee for prisoners. 8. The commissioners for prisoners empowered to inquire the causes of commitment of all prisoners for criminal matters, and to send for the copies of all mittimuses and records, that the abuses may be rectified in committing persons for their judgment or conscience, or for malice.

Alderman Viner presented to be lord mayor of London, approved by the house.

An act passed to call all persons to account for public debts, and commissioners were named for discoveries of money or land concealed belonging to the state.

10. Petition from congregational churches in the north. The house voted, that there shall be a declaration, giving fitting liberty to all that fear God, and for the preventing the abuses against magistrates, and for preservation of such as fear God among themselves without imposing one upon the other, and to discountenance blasphemies, damnable heresies, and licentious practices.

General Blake came into the house, whereof he was a member, and received the thanks of the house for his great and faithful services.

Vote for regulating the public revenue.

Letters that the king of Denmark had promised to send some of his ships to convoy the Dutch merchants home.

11. Letters that captain Hayton, in the Saphire, came up to eight French ships of war, and shot twice at their admiral, who gave him again a broadside; that Hayton endeavoured to board the admiral, but she got away, and then Hayton being between their admiral and vice-admiral, he fired both sides at them, and the vice-admiral called for quarter, and the admiral ran; that he took the vice-admiral, and afterwards another of them in the chase, and, in conclusion, their rear-admiral also, rich prizes, and many of their men slain, and lost four men only, and some wounded: Hayton beats the French fleet.

Of more French prizes taken, and divers Dutch ships:

That captain Welch, a private man of war, took a packet-boat of the Dutch with letters, and next morning took a Dutch ship of three hundred tons, laden with iron, shot, and guns and copper, and two more ships of three hundred tons apiece, laden with clapboard, and a Dutch buss laden with herrings.

12. Vote for wills to be sealed by colonel Zanchey, seal-keeper, if the wills were of a date before the new act.

13. An act passed touching idiots and lunatics.

An act passed for confirmation of the purchasers of sir John Stowel's estate.

14. Letters that the Highlanders increase in their numbers, and take many horses; and divers debauched and beggarly fellows come in to them.

The commander-in-chief of the army in Scotland published a proclamation, reciting former proclamations against vagabonds and masterful beggars, and such as commit murders, thefts, and robberies, and join with the Highlanders, requiring such to be apprehended, &c.: that none do relieve or assist them on pain to be adjudged enemies to the commonwealth; and those who shall discover or apprehend them to be rewarded. Proclamation.

15. Letters of an attempt of captain Darcy to take the Hart frigate, in which were fifty men, but he had with him only twelve men; and the Hart frigate was forewarned of the attempt; yet Darcy frighted the captain of the frigate overboard, and fought three hours: some of his men forsook him,

and others leaped overboard, he and five or six more killed and wounded sixteen of the frigate's men; but the rest of the men in the frigate, which were Darcy's old friends, forsook him, though they had engaged their lives to stand to him in that enterprise. Darcy had quarter six or seven hours; and afterwards the captain killed him in cold blood with his pistols, and ran his sword through him three or four times, then cut him in pieces and pulled out his heart.

Of seven St. Malo's men brought in prizes to Plymouth, and of nine more of them taken and brought in.

The house sat in a grand committee to debate the business of the inequality of taxes, and to consider of some means to rectify it, and passed several votes thereupon.

567 Order for the house to sit in a grand committee, to consider of the act for the union of Scotland to the commonwealth of England.

Union of Scotland.

16. Upon the visit which monsieur Lagerfeldt gave me, who was agent here for the queen of Sweden, and came to make an accord between the crown of Sweden and this commonwealth touching matters of trade, we had much discourse, among other things, concerning the commodities of that kingdom, of pitch, tar, hemp, flax, deal, timber, and boards, and the like.

17. Letters of two prizes brought into Portsmouth by captain Plumbley, and another by captain Hawks:

Of the Highlander tories increasing, encouraged by the ministers:

That De Wit, with fourteen men of war, and a great number of merchantmen, was gone out of the Sound westward; that the Danes were generally persuaded that the Dutch had wholly vanquished the English at sea.

Ordered to suspend the hearing of causes for a month in chancery; and a bill for a way of determining the causes now depending in chancery.

18. Letters from captain Green of a States man of war who fell among five Dutch men of war; that one of them laid him on board, but broke his boltsprit, and so went off again; the like was done by another of them, whose boltsprit was also broken.

That seven sail of English merchantmen were near him all

this time, yet would give no assistance to him; but he came off without the loss of one man, only two wounded, and got a French prize.

A long debate in a grand committee about the equal proportioning of taxes.

That Middleton was labouring to get assistance of the States for the king of Scots, and was offered it by them in case a peace with England did not succeed.

20. Advice of the French picaroons' design against the English fleet coming from Newfoundland:

Of the Highlanders running away from their officers; that one of them, Kenmorett, marched with a runlet of strong waters before him, which they called *Kenmorett's drum:*

Of ships daily arriving at the Texel from the northward:

That the States resolved upon a new treaty of peace with England, and appointed Mynheer Newport and Joungstal to be added commissioners for the treaty of peace, with their other two commissioners now in England:

That the queen of Sweden showed extraordinary favour to the Spanish ambassador with her, and was held to be a friend to the English in their war with the Dutch.

21. Letters that upon the march of the English party into the Highlands they retreated into their usual fastnesses, amongst inaccessible hills and rocks; that some vessels came into Leith road laden with fish and other commodities and provisions.

22. Letters that the late easterly wind, for a fortnight together, kept the picaroons from the English coast:

Of the Speaker frigate and ten more of the men of war gone out from Deal road to the westward.

24. Instructions passed for administration of justice in Scotland, and officers.

Letters of Kinmore's insurrection in the Highlands; that Argyle advised the commander of the English forces not to advance further against them:

That Holland resolved to renew the treaty of peace with England, and in the mean time to prepare for war; that the Swedes had given letters of mark against the Dutch.

25. The house sat in a grand committee for the dill of union for Scotland with England.

Petition against the lord mayor.

A petition from the common-council of London against the lord mayor, Fowke, referred to a committee.

An act passed touching compositions of delinquents.

An act passed for the discovery and prosecution of thieves and highwaymen.

The lords Newport and Youngstal came to London to join with the other two deputies of the State to treat with the parliament for a peace.

26. Order for an act against soliciting members of parliament for any places, and to disable such as shall do it.

That the queen of Swede's agent came to the house to take his leave.

Letters that captain Sparling and another of the parliament's frigates had taken a ship with one hundred and twenty thousand pieces of eight in her; she pretended to be an Ostender.

Seamen tumultuous.

Divers seamen armed, and in a tumultuous manner demanded at the prize-office their shares of some prizes taken, and were so uncivil with the commissioners, that they were forced to send for soldiers to appease them; one of the seamen was slain, and divers were wounded on both sides.

Afterwards the seamen came to Whitehall, where they carried themselves more civilly, and had good words given, and were made sensible of their error, and promised satisfaction; and so they departed quietly.

27. The seamen, more in number than before, and better armed, came down again tumultuously to Whitehall, but were met with by the general's lifeguard, and soon dispersed.

Orders for the reduced officers in Ireland for their arrears.

28. Letters of two prizes brought into Leith:

Of two new sea-rovers put out from France, pretending to have commissions from prince Rupert, in the name of the king of Scots:

Highlanders.

That Argyle was raising forces against his countrymen the Highlanders, but was not able to balance their power: that upon the approach of the parliament's forces towards them, the Highlanders retreated to their fastnesses.

Proclamation.

Upon the tumults of the seamen the council published a proclamation, declaring that exemplary justice shall be done

upon the chief authors or ringleaders in the mutiny and sedition; some whereof are in custody; and commanding that no seamen or others, on pain of death, do meet in a mutinous or seditious manner; and that the accounts shall be stated, and just payment made of all dues unto the seamen.

The parliament passed an additional article to the law of war; and ordinances of the sea for punishing mutinous seamen.

29. Upon a report from the council of state, the house conferred several gratuities to the widows and children of those slain in the late sea-fight.

The house approved the number and charge of ships for this winter-guard, and ordered moneys for them.

I received my commission and instructions for Swedland from the hand of the speaker in the house, and am suddenly to go for Swedland.

31. Upon the petition of the watermen and ancient coachmen in London, against the exorbitancy and multitudes of hackney coachmen, order for an act for redress thereof. 568 Watermen petition.

Votes for renewing the commission for administration of justice in Scotland.

Upon a report from the council,

Order for Dr. Cox to be master of St. Katherine's hospital.

The Spanish ambassador had audience in the house.

The four Dutch deputies met with the commissioners of the council about the treaty for peace.

Two of the tumultuous seamen were condemned at a council of war: one of them was hanged, the other whipped under the gallows. Mutineers condemned.

A petition of many who suffered by the delay of justice, in granting and allowing writs of error after verdict and judgment, praying remedy. Petition about writs of error.

An act passed for continuing the powers of commissioners for compounding for advance of moneys and indemnity.

Letters of the queen of Swede's return to Stockholm, and the Spanish ambassador Piementel with her.

November 1653.

1. The house chose a new council of state, whereof sixteen of the old council continued, and fifteen new ones were added. A new council of state.

Order to consider of the business of the law upon every Friday.

Order for a bill to take away holidays and days not judicial.

The commissioners of the council and the four Dutch ambassadors met upon the treaty.

Divers called Quakers apprehended in the north.

That the business of transplanting went on difficultly in Ireland.

2. The house passed new instructions for the new council of state for six months.

I did, as ambassador to the queen of Sweden, set forwards with a gallant retinue from London to Gravesend to take shipping there.

Letters that captain Blagg took prize a ship of two hundred ton, and another frigate took a French man of twenty guns:

That young Trump being seen with eight ships off the Lizard, the frigates at Portsmouth, being seven, weighed anchor, and put to sea after him:

Of two other prizes brought into Plymouth, and the Channel cleared of the pirates.

3. Of a fight at sea on the Spanish coast, by four Dutch men of war against one English merchantman, who run herself on shore, and kept off the Dutch, and got off from the shore again.

Letters that the commissioners in Ireland had disarmed all the Irish, and forbid any of them to have firearms or ammunition.

4. Letters that Argyle finding his countrymen would not follow him, by reason his son the lord Lorn was with the other party, he left the Highlands:

That De Wit convoyed home to the Texel from the Sound the East-India ships, with three hundred and seventy-five other merchantmen; and that about ninety sail from Norway were come home:

That young Trump was got home with his merchantmen through the Channel; that the English East-India ships and other merchantmen were safely arrived with their convoy, two men of war, and came in sight of young Trump, who had eight men of war, yet did not exchange one shot with

them: that a great fleet of colliers were come into the Thames.

5. An act passed for repealing part of a former act, that enjoins the subscribing the engagement before one shall have the benefit of the law. Act of repeal.

A bill committed for the taking away the high court of chancery, and constituting judges and commissioners for hearing causes now depending in chancery, and future matters of equity, and for reforming abuses in the courts of common law. To take away the chancery.

6. All my people, horses, and goods being shipped, and myself aboard my ship, and our sails hoisted, we began our voyage.

7. Letters of the cruelty and insolency of the Highlanders under Kinmore; that a garrison of the parliament's took divers of them prisoners, and many horses and arms:

Of the preparations in Holland for one hundred sail of men of war.

8. Debate of the bill of the assessments, and the house ordered the rates to continue as before.

An act passed concerning the determination of certain claims depending before the commissioners of obstructions.

9. A committee sat upon the petition against alderman Fowke, late lord mayor of London.

11. Of a synod in Scotland, among whom were great differences of opinion, with long and sharp debates: Synod in Scotland.

Of two French prizes brought into Plymouth, and another pretending to be an Hamburgher:

Of a frigate sent to Jersey for twenty brass guns, and for two companies of soldiers:

Of two Dutch prizes more brought into Alborough.

Sheriffs nominated for the counties of England and Wales.

12. Letters of two Dutch prizes brought into Burlington-bay:

That by great storms at sea the Dutch lost twenty of their ships driven ashore, most of them men of war, and that De Wit was not returned; that in the late storm two thousand Dutchmen were lost, and four hundred and seventy pieces of cannon; that by the storm fifteen breaches were made in the banks of that country, and some castles and whole villages drowned.

14. Letters of the French capers doing much mischief to the English merchants, and cruelly using their men, and that they make Brest another Algiers; that the great loss of the Dutch by the late storm at sea hindered their admiral Opdam from going forth with the fleet.

Order of parliament, touching the redemption of the captives of Algier.

Letters from the states of Lubeck and Hamburgh to the parliament of England read in the house.

15. The house nominated some sheriffs, and debated the bill of assessments.

Letters of a party of the Highlanders falling upon a small party of the English, of whom they killed one and wounded three of them; that captain Watson fell upon a party of the Highlanders, and did them much damage:

Of thirteen Dutch and French prizes brought into Plymouth, most of them pretending to be Hamburghers.

569 16. Orders touching claims for moneys due upon public faith, and touching some sheriffs of counties.

Order of the council of state.

17. The council of state published an order, reciting the trust reposed in them by the parliament for this purpose: they declare that the council will protect all the good people of these nations:

That no disturbance shall be offered to any such in their peaceable assemblies for the worship of God:

It is expected and required of all ministers of justice to proceed against the offenders therein as disturbers of the public peace; and all other persons to take notice thereof.

Order for a lottery for provinces and counties in Ireland, as to claims of land there.

18. Letters that Kinmore's party increased, and took many horses from the Lowlands, who were generally their friends; that they plundered the country, and took some prisoners; that they received a letter from their king that he could not assist them, which discouraged them:

That by the late inundation in Holland, Amsterdam was damaged 100,000*l.*; that their fleet, being seventy-two men of war, riding in the Texel, were much shattered by the late violent winds, sixteen of them lost, and fourteen driven on shore, not above six left that were serviceable.

That the seamen there are discontented; that general Monk was gone down to the parliament's fleet.

19. Debate of the power of patrons in presenting ministers, and the inconveniences thereof, and orders for an act to take away presentations. Presentations.

An act passed for settling lands of the late earl of Derby upon the present earl his son.

Order for a bill touching the excise, and debate upon the bill of assessments:

That the picaroons of Bologne took an English merchantman.

20. I was full of visitants and ceremonies at Gottenburgh, and busy about the affairs of my family with me, with whom I returned thanks to God for our safe arrival in this place.

21. That the Highlanders garrisoned several houses; that a party of them took two captains of colonel Overton's regiment going with their wives to Glasgow, and took two soldiers of colonel Tomlinson's regiment; and that they plundered the lord Wareston's house.

An act published for establishing of a high court of justice.

A great insurrection and tumult was at the New Exchange between the Portugal ambassador's brother and some of his company, and colonel Gerrard, an English gentleman, who hearing the Portuguese discoursing in French of the affairs of England, told them in French, that they did not represent those passages aright; whereupon one of the Portuguese gave him the lie, and they all three fell upon colonel Gerrard, stabbing him in the shoulder with a dagger, but being rescued out of their hands by one Mr. Anthuser, they retired home, and within one hour returned with twenty more, armed with breastplates and headpieces; but after two or three turns, not finding Mr. Anthuser, they returned home that night. Tumult of the Portugal ambassador's brother, &c.

22. Letters that two thousand Dutch prisoners of war in England were discharged, and come home into Holland:

That young Trump was come home safe, and so was the Dutch ships from Bergen in Norway.

The Portugal ambassador's brother returned again to the New Exchange with his company, and walking there they met with colonel Mayo, whom they supposed to Mr. An-

thuser, and shooting off a pistol as a warning, fifty Portuguese came in with drawn swords; and leaving some to keep the stairs, the rest went up with the ambassador's brother, and fell upon colonel Mayo, who, gallantly defending himself, received seven dangerous wounds, and lies in a dying condition; and then they fell upon Mr. Greenway of Lincoln's Inn, who was walking with his sister in one hand and his mistress in the other, and pistolled him in the head, whereof he died immediately. They brought with them several jars, filled with gunpowder, in their coaches, stopped with wax and filled with matches, intending (as it seemed) to have done some mischief to the Exchange, had they not been prevented.

The parliament's horse at the Mews, taking the alarm, apprehended some of the Portuguese, and the rest of them ran to the ambassador's house, whither colonel Whaley pursued them, and beset the ambassador's house with his horse, acquainted him with the murder and insolency committed by his followers, showed him some of them whom he had taken prisoners, and required the chief of the rest to be delivered up to the hand of justice.

The ambassador insisted upon his privilege as ambassador, but seeing nothing else would satisfy, he at length delivered up his brother, and one of the knights of Malta, and some others, and promised to secure the rest to be forthcoming; after which the ambassador made his address to the lord general, and chiefly for his brother; but the general told him, the business did concern the public, and therefore his excellency's address must be to the parliament and the council of state.

23. Letters that upon the complaints of the merchants at Stockholm to the queen of Swedland, of the abuses they had received at sea by the Holland men of war, the queen clapped up two Dutch merchants into prison, and seized upon all Dutchmen's estates, till she should be further satisfied.

The brother of the Portugal ambassador and his company, who committed the murder at the Exchange, were examined by the lord chief justice Rolles; and the ambassador's brother and four others were committed to Newgate in order to their trial.

24. Letters that a knight of Malta, commander of a man

of war of France, took an English merchantman in the Straits:

That the French picaroons did much mischief on the coast near Jersey; that captain Chamberlain, an old pirate, sent a letter to colonel Hean, governor of Jersey, that if the Jersey men would not contribute towards his maintenance, he swore by the heavens that he would throw as many of them as he did meet with into the bottom of the sea.

25. Letters of the insolencies committed by the Highlanders.

That the marquis of Coignac, travelling between Brussels and Dunkirk, was murdered by thieves, and all his company, only the postboy hardly escaped.

26. Letters of merchant ships arrived at Dartmouth safely, and of some English vessels taken by the picaroons of Brest:

Of a prize brought into Plymouth, which pretends to be a Swedish ship.

28. Orders touching the account of officers and soldiers, and stating their arrears, and for paying and securing them 570
out of forfeited lands in Ireland.

Letters that eight Dutch men of war in the Straits had taken fifteen merchantmen of London and Bristol, trading from Newfoundland with fish to the Straits, and two more of them were taken by a Brest picaroon at the Land's-end:

Of divers witches examined and sent to prison, some of them called *black witches*, who killed men, women, and children, and cattle, by their witchcrafts; and others of them called *white witches*, who healed those that were bewitched by the other; and that this was confessed by them.

29. Letters that monsieur Chanute, late ambassador from France to Sweden, was now come ambassador extraordinary to the States General, and came with a very great train.

The Dutch deputies met daily with the English commissioners at Whitehall about the treaty of peace.

30. Letters of great preparations in Holland to recruit their navy:

That Middleton hath leave from the States to transport what arms and ammunition he pleased to Scotland:

That the emperor had declared for the Scots king against the commonwealth of England.

December 1653.

1. Letters that the queen of Sweden had seized upon the persons and estates of some Dutch in Sweden, which caused the Dane to fear her closure with England:

That the king of Denmark's fleet, of fourteen men of war, met with several English merchantmen and examined them, and finding that they were English let them pass quietly.

2. Of mischief done by the Highlanders.

Of harms done by the French picaroons and Dutch free-booters upon the western coasts.

3. Of many merchants' ships staying in Deal road for convoys, and that the parliament's fleet were most of them yet at Tilbury-Hope, whither the rest of the frigates were falling down to them as fast as they could get to be ready.

5. Letters that the barons of Athol refused to assist the Highlanders, who thereupon took some of the barons prisoners, and others of them fled to one of the English garrisons; and that this caused much discontent in the country:

That the further Highlanders plundered all that come in their way, and every two men among them devour a sheep in one day; that when they have got plunder they run home:

That they depend much upon Kinmore's party, consisting of Scots, Irish, French, and English; that they will not engage with the English.

6. General Blake, general Monk, general Desborough, and general Pen, made of the committee of the admiralty and navy, with divers others, by act of this parliament for six months.

Letters of sixteen private men of war at Brest; of four prizes brought into Plymouth; and of three more great Dutch ships taken.

7. Orders taken for the relief of Marlborough, upon a collection for the loss by the late fire there.

8. Letters of preparations for one hundred and twenty ships to go forth from Holland in the spring; that the lords there are close and silent:

That Middleton had great favour there:

Of several frigates in Portsmouth made ready to put to sea.

9. Letters of a ship set upon by the Dutch at Leghorn road, but rescued by the castle:

Of two Dutch ships brought in prize to Pool by private men of war; that divers Dutch pirates joined with those of Brest:

That the earl of Athol's men left him in the Highlands, and his tenants refused to pay him rents of other small parties in other places of Scotland:

10. Of the mischiefs done by the French picaroons, and an English frigate coming near them they hasted away:

That general Monk set sail from Tilbury-Hope with all the ships then ready.

12. Of differences between Glencairn and Glengary, who shall be superior in command of the Highlanders; that the gentlemen in those parts were summoned by the commander-in-chief of the parliament's forces, and most of them signed an engagement to be faithful to the commonwealth of England, and not to assist the Highlanders:

That the queen of Sweden was gone from Stockholm to Upsal.

13. Upon a report from the committee touching tithes, that the commissioners be sent into all counties, divided into six circuits, three commissioners into each circuit from London, and four or six of every county. Report of a committee for tithes.

The commissioners to have power to eject all ministers who are not of good behaviour and holy in conversation, or not apt and able to teach, or hold not forth the faithful word, or be not diligent, or labour not in the word and doctrine, nor be greedy of filthy lucre:

And that they be empowered to settle godly and able persons, to settle the gospel in all void places, and to unite two or three parishes together, so that none be above three miles from the public meeting place; and commissioners named in the report, that such as shall be approved for public preachers may enjoy the maintenance set by laws, and such further as the parliament hath or shall allow:

That where any scruple the payment of tithes, the neighbour justices to set a value on those due, which the owner of the land is to pay, or else the minister may sue for them: that committee held, that the incumbents, impropriators, &c. have a right and propriety in tithes.

The house upon debate of this report: the first part of it, upon the question, passed in the negative.

Motion for this parliament to resign, &c.

It was moved in the house, that the sitting of this parliament any longer would not be for the good of the commonwealth, and that it would be fit for them to resign up their powers to the lord general: this motion was seconded by several other members, and then the house rose;

And the speaker, with many members of the house, with the mace, went to Whitehall, where they did, by a writing under their hands, resign to his excellency the powers; and Mr. Speaker, attended with the members, did present this resignation of their powers to his excellency accordingly.

The general with his council of officers met, where some things were transacted, in order to the settlement of the government of this nation.

Letters of malignants in the north, who bought up horses and went with them towards Scotland:

Of sixteen horse within five miles of Berwick, who seized
571 some gentlemen and others going to Berwick fair, and took their horses, money, and clothes, and then let them go: that they seized upon two soldiers and disarmed them, and then dismissed them, and took many horses.

The Portugal ambassador's brother made an escape out of Newgate, but was retaken.

A declaration.

The council of state published a declaration against the late tumult at the New Exchange, and forbid all persons, of what quality soever, to do or abet the like in any public place of trade or resort, upon pain to be dealt with as disturbers of the public peace, whereof a strict account shall be taken; and all officers to perform their duty for apprehending such offenders, and to prevent the like tumultuous actions.

14. Letters of three prizes sent into Plymouth:

That the Sussex frigate was blown up with her own powder and about fifty of her men at Plymouth:

That there was an agreement for the duke of Lorrain to exchange his country for Ireland; that the prince of Condé was to be king of Scotland, and king Charles to be king of England only:

That Middleton was transporting from Holland great store of arms and ammunition to the Highlands.

16. Letters of the Highlanders' levies of men, and Glencairn's sending warrants to adjacent towns for cloth, shoes,

provisions, and money for his soldiers, or else he will exact it by force:

That four of them met an Englishman going to gather up money, and killed him:

That the Highlanders are one thousand foot, well armed, and five hundred horse:

Of two prizes brought into Pool by a private man of war, captain Green:

That general Monk, with his squadron of ships, was in the Downs.

The late parliament having resigned their powers into the lord general's hands by a writing under their hands and seals,

Council called. A council of officers.

The lord general called a council of officers, and advised with them, and with other persons of interest in the nation, how this great burden of governing England, Scotland, and Ireland, with the armies therein, and the navy at sea, should be borne, and by whom. They, after several days' seeking of God, and advising in this matter, resolved, that a council of godly, able, and discreet persons should be named, consisting of twenty-one; and that the lord general should be chosen lord protector of the three nations.

The protector installed.

His excellency the general, about three in the afternoon, came from Whitehall to the chancery court in this equipage:

First went the commissioners of the great seal; then the judges and barons in their robes; after them the council of the commonwealth; then the lord mayor, aldermen, and recorder of London; after them, the lord general attended with the chief officers of the army: a chair of state was set in the chancery court, and the general stood on the left hand of it, uncovered, till a large writing in parchment was read, containing the power with which his excellency was invested, and how he was to govern the three nations, and the oath to be taken by him. His excellency subscribed this writing in the face of the court, and had the oath given him by the lord commissioner Lisle: and after this, his excellency sat down in the chair covered; then the commissioners delivered up the great seal to him, and the lord mayor his sword and cap, the which his excellency returned immediately again to him; then the court rose, and they went back to Whitehall; the lord mayor himself uncovered, carrying the sword before the

lord protector; and coming into the banqueting-house, Mr. Lockier made an exhortation to them, and so the lord mayor, aldermen, and judges departed.

The instrument which his excellency subscribed was in these words:

The government of the commonwealth of England, Scotland, and Ireland.

I.

That the supreme legislative authority of the commonwealth of England, Scotland, and Ireland, and the dominions thereto belonging, shall be and reside in one person, and the people assembled in parliament, the style of which person shall be, *Lord Protector of the Commonwealth of England, Scotland, and Ireland.*

II.

That the exercise of the chief magistracy and administration of the government over the said countries and dominions, and the people thereof, shall be in the Lord Protector, assisted with a council: the number whereof shall not exceed twenty-one, nor be less than thirteen.

III.

That all writs, processes, commissions, patents, grants, and other things, which now run in the name and style of the keepers of the liberty of England by authority of parliament, shall run in the name and style of the Lord Protector, from whom, for the future, shall be derived all magistracy and honours in these three nations; and shall have the power of pardons, (except in case of murder and treason,) and benefits of all forfeitures for the public use; and shall govern the said countries and dominions in all things by the advice of the council, and according to these presents and the laws.

IV.

That the Lord Protector, the parliament sitting, shall dispose and order the militia and forces both by sea and land, for the peace and good of the three nations, by consent of parliament; and that the Lord Protector, with the advice and consent of the major part of the council, shall dispose and order the militia for the ends aforesaid in the intervals of parliament.

V.

That the Lord Protector, by the advice aforesaid, shall direct, in all things, concerning the keeping and holding of a good correspondency with foreign kings, princes, and states; and also, with the consent of the major part of the council, have the power of war and peace.

VI.

That the laws shall not be altered, suspended, abrogated, or repealed, nor any new law made, nor any tax, charge, or imposition laid upon the people, but by common consent in parliament, save only as is expressed in the thirteenth article.

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That there shall be a parliament summoned to meet at Westminster upon the third day of September one thousand six hundred fifty-four; and that successively a parliament shall be summoned once in every third year, to be accounted from the dissolution of the preceding parliament.

VIII.

That neither the parliament to be next summoned, nor any successive parliaments, shall, during the time of five months, to be accounted from the day of their first meeting, be adjourned, prorogued, or dissolved, without their own consent.

IX.

That as well the next as all other successive parliaments shall be summoned and elected in manner hereafter expressed; that is to say, the persons to be chosen within England, Wales, the isles of Jersey and Guernsey, and the town of Berwick upon Tweed, to sit and serve in parliament, shall be and not exceed the number of four hundred. The persons to be chosen within Scotland to sit and serve in parliament shall be and not exceed the number of thirty; and the persons to be chosen to sit in parliament for Ireland shall be and not exceed the number of thirty.

X.

That the persons to be elected to sit in parliament from time to time for the several counties of England, Wales, the isles of Jersey and Guernsey, and the town of Berwick upon Tweed, and all places within the same respectively, shall be according to the proportions and numbers hereafter expressed; that is to say,

For the county of Bedford, six; viz.
For the town of Bedford, one.
For the county of Bedford, five.
For the county of Berks, seven; viz.
For the borough of Abingdon, one.
For the borough of Reading one.
For the county of Berks, five.
For the county of Bucks, eight; viz.
For the town of Buckingham, one.
For the borough of Ailesbury, one.
For the borough of Wiccomb, one.
For the county of Bucks, five.

For the county of Cambridge and Isle of Ely, eight; viz.
For the town of Cambridge, one.
For the university of Cambridge, one.
For the Isle of Ely, two.
For the county of Cambridge, four.

For the county of Chester, five; viz.
For the city of Chester, one.
For the county of Chester, four.

For the county of Cornwall, twelve; viz.
For the borough of Dunishwet, otherwise Launceston, one.
For the borough of Truro, one.
For the borough of Penryn, one.
For the borough of Eastlow and Westlow, one.
For the county of Cornwall, eight.

For the county of Cumberland, three; viz.
For the city of Carlisle, one.
For the county of Cumberland, two.

For the county of Derby, five; viz.
For the town of Derby, one.
For the county of Derby, four.

For the county of Devon, twenty; viz.
For the city of Exeter, two.
For the borough of Plymouth, two.
For the borough of Dartmouth, Clifton, and Harderness, one.
For the borough of Totness, one.
For the borough of Barnstable, one.
For the borough of Tiverton, one.
For the borough of Honyton, one.
For the county of Devon, eleven.

For the county of Dorset, ten; viz.
For the borough of Dorchester, one,
For the borough of Weymouth and Melcomb-Regis, one.
For the borough of Lyme-Regis, one.
For the town and county of Pool, one.
For the county of Dorset, six.

For the county of Durham, three; viz.
For the city of Durham, one.
For the county of Durham, two.

For the county of York, twenty-two; viz.
For the city of York, two.
For the town of Kingston upon Hull, one.
For the borough of Beverly, one.
For the borough of Scarborough, one.

For the borough of Richmond, one.
For the town of Leeds, one.
For the town and parish of Hallifax, one.
For the county of York, fourteen, to be chosen distinctly by the three ridings: that is to say, for the West-Riding, six; for the East-Riding, four; for the North-Riding, four.

For the county of Essex, sixteen; viz.
For the borough of Maldon, one.
For the borough of Colchester, two.
For the county of Essex, thirteen.

For the county of Gloucester and county of the city of Gloucester, nine; viz.
For the city of Gloucester, two.
For the borough of Tewksbury, one.
For the borough of Cirencester, one.
For the county, and the county of the city of Gloucester, except the said city, five.

For the county of Hereford, six; viz.
For the city of Hereford, one.
For the borough of Lempster, one.
For the county of Hereford, four.

For the county of Hertford, seven; viz.
For the town of St. Alban's one.
For the borough of Hertford, one.
For the county of Hertford, five.

For the county of Huntington, four; viz.
For the borough of Huntington, one.
For the county of Huntington, three.

For the county of Kent, eighteen; viz.
For the city of Canterbury, two.
For the city of Rochester, one.
For the borough of Maidstone, one.
For the port of Dover, one.
For the port of Sandwich, one.
For the borough of Queenborough, one.
For the county of Kent, eleven.

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For the county of Lancaster, eight; viz.
For the borough of Preston in Anderness, one.
For the borough of Lancaster, one.
For the borough of Liverpool, one.
For the town and parish of Manchester, one.
For the county of Lancaster, four.

For the county of Leicester, six; viz.
For the borough of Leicester, two.
For the county of Leicester, four.
For the county of Lincoln, sixteen; viz.
For the city of Lincoln, two.
For the town of Boston, one.
For the borough of Grantham, one.
For the town of Stamford, one.
For the town of Great Grimsby, one.
For the county of Lincoln, ten.
For the county of Middlesex, six; viz.
For the city of Westminster, two.
For the county of Middlesex, four.
For the city of London, six.
For the county of Monmouth, three.
For the county of Norfolk, sixteen; viz.
For the city of Norwich, two.
For the town of Lynn-Regis, two.
For the town of Great Yarmouth, two.
For the county of Norfolk, ten.
For the county of Northampton, eight; viz.
For the city of Peterborough, one.
For the town of Northampton, one.
For the county of Northampton, six.
For the county of Nottingham, six; viz.
For the town of Nottingham, two.
For the county of Nottingham, four.
For the county of Northumberland, five; viz.
For the town of Newcastle upon Tyne, one.
For the town of Berwick, one.
For the county of Northumberland, three.
For the county of Oxford, eight; viz.
For the city of Oxford, one.
For the university of Oxford, one.
For the borough of Woodstock, one.
For the county of Oxford, five.
For the county of Rutland, two.
For the county of Salop, eight; viz.
For the town of Shrewsbury, two.
For the borough of Bruges, alias Bridgenorth, one.
For the borough of Ludlow, one.
For the county of Salop, four.

For the county of Stafford, six ; viz.
For the city of Lichfield, one.
For the town of Stafford, one.
For the borough of Newcastle on the Lyne, one.
For the county of Stafford, three.

For the county of Somerset, sixteen ; viz.
For the borough of Taunton, two.
For the city of Bath, one.
For the city of Wells, one.
For the borough of Bridgewater, one.
For the county of Somerset, eleven.

For the city of Bristol, two.

For the county of Southampton, fourteen ; viz.
For the city of Winchester, one.
For the town of Southampton, one.
For the town of Portsmouth, one.
For the Isle of Wight, two.
For the borough of Andover, one.
For the county of Southampton, eight.

For the county of Suffolk, sixteen ; viz.
For the borough of Ipswich, two.
For the borough of Bury St. Edmond's, two.
For the borough of Dunwich, one.
For the borough of Sudbury, one.
For the county of Suffolk, ten.

For the county of Surrey, ten ; viz.
For the borough of Southwark, two.
For the borough of Guildford, one.
For the borough of Rygate, one.
For the county of Surrey, six.

For the county of Sussex, fourteen ; viz.
For the city of Chichester, one.
For the borough of Lewis, one.
For the borough of East-Greenstead, one.
For the borough of Arundel, one.
For the borough of Rye, one.
For the county of Sussex, nine.

For the county of Westmorland, two.

For the county of Warwick, seven ; viz.
For the city of Coventry, two.
For the borough of Warwick, one.
For the county of Warwick, four.

For the county of Worcester, seven; viz.
For the city and county of the city of Worcester, two.
For the county of Worcester, five.
For the county of Wilts, fourteen; viz.
For the city of New Sarum, two.
For the borough of Marlborough, one.
For the borough of the Devises, one.
For the county of Wilts, ten.
For the county of Anglesey, two.
For the county of Brecon, two.
For the county of Cardigan, two.
For the county of Carmarthen, two.
For the county of Carnarvon, two.
For the county of Denbigh, two.
For the county of Flint, two.
For the county of Glamorgan, three; viz.
For the town of Cardiffe, one.
For the county of Glamorgan, two.
For the county of Merioneth, one.
For the county of Montgomery, two.
For the county of Pembroke, three; viz.
For the town of Haverfordwest, one.
For the county of Pembroke, two.
For the county of Radnor, two.

574 The distribution of the persons to be chosen for Scotland, and the several counties, cities, and places within the same, shall be according to such proportions and number as shall be agreed upon and declared by the Lord Protector and the major part of the council, before the sending forth writs of summons for the next parliament. The distribution of the persons to be chosen for Ireland, and the several counties, cities, and places within the same, shall be according to such proportions and number as shall be agreed upon, and declared by the Lord Protector, and the major part of the council, before the sending forth writs of summons for the next parliament.

XI.

That the summons to parliament shall be by writ under the great seal of England, directed to the sheriffs of the several and respective counties, with such alteration as may suit with the present government, to be made by the Lord Protector and his council, which the chancellor, keeper, or commissioners of the great seal, shall seal, issue, and send abroad by warrant from the Lord Protector. If the Lord Protector shall not give warrant for issuing of writs of sum-

mons for the next parliament before the first day of June one thousand six hundred fifty-four, or for the triennial parliaments before the first day of August in every third year, to be accounted as aforesaid, that then the chancellor, keeper, or commissioners of the great seal for the time being, shall, without any warrant or direction, within seven days after the said first day of June one thousand six hundred fifty-four, seal, issue, and send abroad writs of summons (changing therein what is to be changed as aforesaid) to the several and respective sheriffs of England, Scotland, and Ireland, for summoning the parliament to meet at Westminster the third of September next; and shall likewise within seven days after the said first day of August, in every third year, to be accounted from the dissolution of the precedent parliament, seal, issue, and send abroad several writs of summons, changing therein what is to be changed, as aforesaid, for summoning the parliament to meet at Westminster the sixth of November in that third year. That the said several and respective sheriffs shall, within ten days after the receipt of such writs as aforesaid, cause the same to be proclaimed and published in every market town within his county, upon the market days thereof, between twelve and three of the clock; and shall then also publish and declare the certain day of the week and month for choosing members to serve in parliament for the body of the said county, according to the tenor of the said writ, which shall be upon Wednesday five weeks after the date of the writ; and shall likewise declare the place where the election shall be made; for which purpose he shall appoint the most convenient place for the whole county to meet in, and shall send precepts for elections to be made in all and every city, town, borough or place within his county, where elections are to be made, by virtue of these presents, to the mayor, sheriff, or other head officer of such city, town, borough, or place, within three days after the receipt of such writ and writs, which the said mayors, sheriffs, and officers, respectively are to make publication of, and of the certain day for such elections to be made in the said city, town, or place aforesaid, and to cause elections to be made accordingly.

XII.

That at the day and place of elections, the sheriff of each county, and the said mayors, sheriffs, bailiffs, and other head officers within their cities, towns, boroughs, and places respectively, shall take view of the said elections, and shall make return into the chancery within twenty days after the said elections of the persons elected by the greater number of electors, under their hands and seals, between him on the one part and the electors on the other part; wherein shall be contained, that the persons elected shall not have power to alter

the government as it is hereby settled in one single person and a parliament.

XIII.

That the sheriff, who shall wittingly and willingly make any false return, or neglect his duty, shall incur the penalty of two thousand marks of lawful English money; the one moiety to the Lord Protector, and the other moiety to such person as will sue for the same.

XIV.

That all and every person and persons. who have aided, advised, assisted, or abetted in any war against the parliament, since the first day of January one thousand six hundred forty one, (unless they have been since in the service of the parliament, and given signal testimony of their good affections thereunto,) shall be disabled, and be uncapable to be elected, or to give any vote in the election of any members to serve in the next parliament, or in the three succeeding triennial parliaments.

XV.

That all such who have advised, assisted, or abetted the rebellion of Ireland shall be disabled and uncapable for ever to be elected, or to give any vote in the election of any member to serve in parliament; as also all such who do or shall profess the Roman catholic religion.

XVI.

That all votes and elections given or made contrary or not according to these qualifications shall be null and void: and if any person who is hereby made uncapable shall give his vote for election of members to serve in parliament, such person shall lose and forfeit one full year's value of his real estate, and one full third part of his personal estate; one moiety thereof to the Lord Protecter, and the other moiety to him or them who shall sue for the same.

XVII.

That the persons who shall be elected to serve in parliament shall be such (and no other than such) as are persons of known integrity, fearing God, and of good conversation, and being of the age of one and twenty years.

XVIII.

That all and every person and persons seized or possessed to his own use, of any estate real or personal, to the value of 200*l.*, and not within the aforesaid exceptions, shall be capable to elect members to serve in parliament for counties.

XIX.

That the chancellor, keeper, or commissioners of the great seal, shall be sworn, before they enter into their offices, truly and faith-

fully to issue forth and send abroad writs of summons to parliaments, at the times and in the manner before expressed; and in case of neglect or failure to issue and send abroad writs accordingly, he or they shall for every such offence be guilty of high treason, and suffer the pains and penalties thereof.

XX.

That in case writs be not issued out, as is before expressed, but that there be a neglect therein, fifteen days after the time wherein 575
the same ought to be issued out by the chancellor, keeper, or commissioners of the great seal, that then the parliament shall, as often as such failure shall happen, assemble and be held at Westminster, in the usual place, at the times prefixed, in manner and by the means hereafter expressed; that is to say, that the sheriffs of the several and respective counties, sherivedoms, cities, boroughs, and places aforesaid, within England, Wales, Scotland, and Ireland, the chancellor, masters, and scholars of the university of Oxford and Cambridge, and the mayor and bailiffs of the borough of Berwick upon Tweed, and other the places aforesaid respectively, shall, at the several courts and places to be appointed as aforesaid, within thirty days after the said fifteen days, cause such members to be chosen for their said several and respective counties, sherivedoms, universities, cities, boroughs, and places aforesaid, by such persons and in such manner as if several and respective writs of summons to parliament under the great seal had issued and been awarded, according to the tenor abovesaid: that if the sheriff or other persons authorized shall neglect his or their duty herein, that all and every such sheriff and person authorized as aforesaid, so neglecting his or their duty, shall, for every such offence, be guilty of high treason, and shall suffer the pains and penalties thereof.

XXI.

That the clerk, called *the clerk of the commonwealth*, in chancery for the time being, and all others, who shall afterwards execute that office, to whom the returns shall be made, shall for the next parliament, and the two succeeding triennial parliaments, the next day after such return, certify the names of the several persons so returned, and of the places for which he and they were chosen respectively, unto the council, who shall peruse the said returns, and examine whether the persons so elected and returned be such as is agreeable to the qualifications, and not disabled to be elected: and that every person and persons being so duly elected, and being approved of by the major part of the council to be persons not disabled, but qualified as aforesaid, shall be esteemed a member of parliament, and be admitted to sit in parliament, and not otherwise.

XXII.

That the persons chosen and assembled in manner aforesaid, or any sixty of them, shall be and be deemed the parliament of England, Scotland, and Ireland; and the supreme legislative power to be and reside in the Lord Protector and such parliament in manner herein expressed.

XXIII.

That the Lord Protector, with the advice of the major part of the council, shall at any other time than is before expressed, when the necessities of the state shall require it, summon parliaments in manner before expressed, which shall not be adjourned, prorogued, or dissolved, without their own consent, during the first three months of their sitting: and in case of future war with any foreign state, a parliament shall be forthwith summoned for their advice concerning the same.

XXIV.

That all bills agreed unto by the parliament shall be presented to the Lord Protector for his consent; and in case he shall not give his consent thereto within twenty days after they shall be presented to him, or give satisfaction to the parliament within the time limited, that then, upon declaration of the parliament that the Lord Protector hath not consented nor given satisfaction, such bills shall pass into and become laws, although he shall not give his consent thereunto; provided such bills contain nothing in them contrary to the matters contained in these presents.

XXV.

That Philip lord viscount Lisle; Charles Fleetwood, esquire; John Lambert, esquire; sir Gilbert Pickering, baronet; sir Charles Wolseley, baronet; sir Anthony Ashley-Cooper, baronet; Edward Montague, esquire; John Desborough, esquire; Walter Strickland, esquire; Henry Lawrence, esquire; William Sydenham, esquire; Philip Jones, esquire; Richard Major, esquire; Francis Rouse, Philip Skipton, esquires, or any seven of them, shall be a council for the purposes expressed in this writing; and upon the death or other removal of any of them, the parliament shall nominate six persons of ability, integrity, and fearing God, for every one that is dead or removed, out of which the major part of the council shall elect two, and present them to the Lord Protector, of which he shall elect one: and in case the parliament shall not nominate within twenty days after notice given unto them thereof, the major part of the council shall nominate three as aforesaid to the Lord Protector, who out of them shall supply the vacancy; and until this choice be made, the remaining part of the council shall execute as

fully in all things as if their number were full: and in case of corruption or other miscarriage in any of the council in their trust, the parliament shall appoint seven of their numbers, and the council six, who, together with the lord chancellor, lord keeper, or commissioners of the great seal for the time being, shall have power to hear and determine such corruption and miscarriage, and to award and inflict punishment as the nature of the offence shall deserve; which punishment shall not be pardoned or remitted by the Lord Protector: and in the interval of parliaments, the major part of the council, with the consent of the Lord Protector, may, for corruption or other miscarriage as aforesaid, suspend any of their number from the exercise of their trust, if they shall find it just, until the matter shall be heard and examined as aforesaid.

XXVI.

That the Lord Protector and the major part of the council aforesaid may at any time before the meeting of the next parliament add to the council such persons as they shall think fit, provided the number of the council be not made thereby to exceed one and twenty, and the quorum to be proportioned accordingly by the Lord Protector and the major part of the council.

XXVII.

That a constant yearly revenue shall be raised, settled, and established for maintaining of ten thousand horse and dragoons, and twenty thousand foot, in England, Scotland, and Ireland, for the defence and security thereof, and also for the convenient number of ships for guarding of the seas; besides 200,000*l.* per annum for defraying the other necessary charges for administration of justice, and other expenses of the government: which revenue shall be raised by the customs and such other ways and means as shall be agreed upon by the Lord Protector and council, and shall not be taken away or diminished, nor the way agreed upon for raising the same altered, but by the consent of the Lord Protector and the parliament.

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That the said yearly revenue shall be paid into the public treasury, and shall be issued out for the uses aforesaid.

XXIX.

That in case there shall not be cause hereafter to keep up so great a defence at land or sea, but that there be an abatement made thereof, the money which will be saved thereby shall remain in bank for the public service, and not be employed to any other use but by consent of parliament; or in the intervals of parliament, by the Lord Protector and major part of the council.

XXX.

That the raising of money for defraying the charge of present extraordinary forces both at land and sea, in respect of the present wars, shall be by consent in parliament, and not otherwise; save only that the Lord Protector, with the consent of the major part of the council, for preventing the disorders and dangers which may otherwise fall out both at sea and land, shall have power, until the meeting of the first parliament, to raise money for the purposes aforesaid, and also to make laws and ordinances for the peace and welfare of these nations where it shall be necessary, which shall be binding and in force until order shall be taken in parliament concerning the same.

XXXI.

That the lands, tenements, rents, royalties, jurisdictions, and hereditaments, which remain yet unsold or undisposed of by act or ordinance of parliament, belonging to the commonwealth, (except the forests and chases, and the honours and manors belonging to the same; the lands of the rebels in Ireland lying in the four counties of Dublin, Cork, Kildare, and Katerlaugh; the lands forfeited by the people of Scotland in the late wars; and also the lands of papists and delinquents in England, who have not yet compounded,) shall be vested in the Lord Protector; to hold, to him and his successors, Lord Protectors of these nations, and shall not be alienated but by consent in parliament: and all debts, fines, issues, amerciaments, penalties, and profits, certain and casual, due to the keepers of the liberties of England by authority of parliament, shall be due to the Lord Protector, and be payable into his public receipt, and shall be recovered and prosecuted in his name.

XXXII.

That the office of the Lord Protector over these nations shall be elective, and not hereditary; and upon the death of the Lord Protector, another fit person shall be forthwith elected to succeed him in the government, which election shall be by the council; who, immediately upon the death of the Lord Protector, shall assemble in the chamber where they usually sit in council, and having given notice to all their number of the cause of their assembling, shall, being thirteen at least present, proceed to the election; and before they depart out of the said chamber shall elect a fit person to succeed in the government, and forthwith cause proclamation thereof to be made in all the three nations as shall be requisite: and the person that they, or the major part of them, shall elect as aforesaid, shall be and shall be taken to be Lord Protector over these nations of England, Scotland, and Ireland, and the dominions

thereto belonging; provided that none of the children of the late king, nor any of his line or family, be elected to be Lord Protector or other chief magistrate over these nations, or any the dominions thereto belonging. And until the aforesaid election be past, the council shall take care of the government, and administer in all things as fully as the Lord Protector or the Lord Protector and council are enabled to do.

XXXIII.

That Oliver Cromwell, captain general of the forces of England, Scotland, and Ireland, shall be and is hereby declared to be Lord Protector of the commonwealth of England, Scotland, and Ireland, and the dominions thereto belonging, for his life.

XXXIV.

That the chancellor, keeper, or commissioners of the great seal, the treasurer, admiral, chief governors of Ireland and Scotland, and the chief justices of both the benches, shall be chosen by the approbation of parliament; and in the intervals of parliament by the approbation of the major part of the council, to be afterwards approved by the parliament.

XXXV.

That the Christian religion contained in the scriptures be held forth and recommended as the public profession of these nations; and that as soon as may be, a provision less subject to scruple and contention, and more certain than the present, be made for the encouragement and maintenance of able and painful teachers for instructing the people, and for discovery and confutation of error, heresy, and whatever is contrary to sound doctrine: and that, until such provision be made, the present maintenance shall not be taken away or impeached.

XXXVI.

That to the public profession held forth, none shall be compelled by penalties or otherwise, but that endeavours be used to win them by sound doctrine and the example of a good conversation.

XXXVII.

That such as profess faith in God by Jesus Christ (though differing in judgment from the doctrine, worship, or discipline publicly held forth) shall not be restrained from, but shall be protected in the profession of the faith and exercise of their religion; so as they abuse not this liberty to the civil injury of others and to the actual disturbance of the public peace on their parts: provided this liberty be not extended to popery or prelacy, nor to such as, under the profession of Christ, hold forth and practise licentiousness.

XXXVIII.

That all laws, statutes, ordinances, and clauses in any law, statute, and ordinance to the contrary of the aforesaid liberty shall be esteemed as null and void.

XXXIX.

That the acts and ordinances of parliament, made for the sale or other disposition of the lands, rents, and hereditaments of the late king, queen, and prince, of archbishops and bishops, &c., deans and chapters, the lands of delinquents, and forest lands, or any of them; or of any other lands, tenements, rents, and hereditaments belonging to the commonwealth, shall no way be impeached or made invalid, but shall remain good and firm: and that the securities given by act and ordinance of parliament for any sum or sums of money by
577 any of the said lands, the excise, or by any other public revenue, and also the securities given by the public faith of the nation, and the engagement of the public faith for satisfaction of debts and damages, shall remain firm and good, and not be made void and invalid upon any pretence whatsoever.

XL.

That the articles given to or made with the enemy, and afterwards confirmed by parliament, shall be performed and made good to the persons concerned therein; and that such appeals as were depending in the last parliament for relief concerning bills of sale of delinquents' estates may be heard and determined the next parliament, any thing in this writing, or otherwise to the contrary, notwithstanding.

XLI.

That every successive Lord Protector over these nations shall take and subscribe a solemn oath in the presence of the council, and such others as they shall call to them, that he will seek the peace, quiet, and welfare of these nations, cause law and justice to be equally administered, and that he will not violate or infringe the matters and things contained in this writing, and in all other things will to his power, and to the best of his understanding, govern these nations according to the laws, statutes, and customs.

XLII.

That each person of the council shall, before they enter upon their trust, take and subscribe an oath, that they will be true and faithful in their trust, according to the best of their knowledge; and that in the election of every successive Lord Protector they shall proceed therein impartially, and do nothing therein for any promise, fear, favour, or reward.

The oath taken by his highness Oliver Cromwell, Lord Protector.

Whereas the major part of the last parliament (judging that their sitting any longer, as then constituted, would not be for the good of this commonwealth) did dissolve the same, and by a writing under their hands, dated the twelfth day of this instant December, resigned unto me their powers and authorities; and whereas it was necessary thereupon that some speedy course should be taken for the settlement of these nations upon such a basis and foundation as by the blessing of God might be lasting, secure property, and answer those great ends of religion and liberty so long contended for; and upon full and mature consideration had of the form of government hereunto annexed, being satisfied that the same, through divine assistance, may answer the ends aforementioned; and having also been desired and advised, as well by several persons of interest and fidelity in this commonwealth, as the officers of the army, to take upon me the protection and government of these nations, in the manner expressed in the said form of government, I have accepted thereof, and do hereby declare my acceptance accordingly; and do promise, in the presence of God, that I will not violate or infringe the matters and things contained therein, but to my power observe the same, and cause them to be observed; and shall in all other things, to the best of my understanding, govern these nations according to the laws, statutes, and customs, seeking their peace, and causing justice and law to be equally administered.

O. CROMWELL.

Oliver Cromwell, captain general of all the forces of this commonwealth, and now declared Lord Protector thereof, did, this sixteenth day of December one thousand six hundred fifty-three, sign this writing, and solemnly promise, as is therein contained, in presence of the lords commissioners of the great seal of England, who administered the same oath, and of the lord mayor and aldermen of the city of London, divers of the judges of the land, the officers of state and army, and many other persons of quality.

The writing mentioned in the oath was in these words:

December 12, 1653.

Upon a motion this day made in the house, that the sitting of this parliament any longer, as now constituted, will not be for the good of the commonwealth; and that therefore it was requisite to deliver up unto the lord general Cromwell the powers which they received from him; these members, whose names are underwritten, have and do hereby resign their said powers to his excellency.

The same day the council did set forth this proclamation:

By the council.

Whereas the late parliament dissolving themselves, and resigning their powers and authorities, the government of the commonwealth of England, Scotland, and Ireland by a Lord Protector, and successive triennial parliaments, is now established; and whereas Oliver Cromwell, captain general of all the forces of this commonwealth, is declared Lord Protector of the said nations, and hath accepted thereof: we have therefore thought it necessary (as we hereby do) to make publication of the premises, and strictly to charge and command all and every person and persons, of what quality and condition soever, in any of the said three nations, to take notice thereof, and to conform and submit themselves to the government so established. And all sheriffs, mayors, bailiffs, and other public ministers and officers, whom this may concern, are required to cause this proclamation to be forthwith published in their respective counties, cities, corporations, and market towns, to the end none may have cause to pretend ignorance in this behalf.

Given at Whitehall this sixteenth day of December 1653.

17. The new Lord Protector observed new and great state, and all ceremonies and respects were paid to him by all sorts of men, as to their prince.

19. Letters that the Highlanders dispersed themselves for their levies, and intended to force unreasonable contributions:

That some of them near Durham robbed the postboy, took away his letters, horse, coat, and twenty pence in money:

That major Murryhead was taken prisoner by a party of the English, he being on his journey to the Highlanders:

578 That captain Lisle, with a party of the English army, fell into the enemy's quarters, and took two captains, one cornet, one quartermaster, a corporal, and twenty private soldiers, and about forty horse, and some arms, fired the house, and killed three men, and lost not one man, and but one wounded in the thigh:

That by order captain Lisle met with colonel Morgan, and they marched seven miles into the Highlands, fell into the lord of Kinoul's quarters, took seven or eight prisoners, and about twelve horse, killed one, rescued the lord of Egle's sheriff, dispersed the regiment, and the lord of Kinoul hardly escaped.

The Lord Protector was proclaimed by sound of trumpet in the Palace-yard at Westminster, at the Old Exchange, and several other places in London; divers of the council, and the lord mayor and aldermen in their robes, with three sergeants-at-arms with their maces, and the heralds attending, and a command to publish the same proclamation in all counties. Protector proclaimed.

20. Letters of a Dutch prize taken by a private man of war, and brought to Hull.

21. A proclamation published by his highness the Lord Protector, with the advice of his council, for continuing all persons being in office for the execution of public justice at the time of the late change of government, until his highness's further direction, in these words:

Oliver, Lord Protector of the commonwealth of England, Scotland, and Ireland, considering, that whereas the exercise of the chief magistracy, and the administration of government within the said commonwealth, is invested and established in his highness, assisted with a council, and lest thereupon the settled and ordinary course of justice in the commonwealth (if remedy were not provided) might receive interruption, his highness, in his care of the state and public justice thereof, (reserving to future consideration the reformation and redress of any abuses by misgovernment upon better knowledge taken thereof,) is pleased, and doth hereby expressly signify, declare, and ordain, by and with the advice and consent of his council, who have power, until the meeting of the next parliament, to make laws and ordinances for the peace and welfare of these nations, where it shall be necessary, which shall be binding and in force until order shall be taken in parliament concerning the same; that all persons who on the tenth day of this instant December were duly and lawfully possessed of any place of judicature, or office of authority, jurisdiction, or government within this commonwealth, shall be and shall so hold themselves continued in the said offices and places respectively as formerly they held and enjoyed the same, and not otherwise, until his highness's pleasure be further known; and all commissions, patents, and other grants, which respect or relate unto the doing and executing of public justice, and all proceedings, of what nature soever, in courts of common law or equity, or in the court of admiralty, or by commissioners of sewers, shall stand and be in the same and like force to all intents and purposes as the same were on the said tenth day of this instant December, until further order given by his highness therein; and that in the mean time (for preservation of the public peace, and necessary pro-

ceedings in matters of justice, and for safety of the state) all the said persons, of whatsoever place, power, degree, or condition, may not fail, every one severally according to his respective place, office, or charge, to proceed in the performance and execution of all duties thereunto belonging, as formerly appertaining to them and every of them whilst the former government was in being.

Given at Whitehall, this twenty-first of December, in the year of our Lord 165?.

Coalition. 22. Letters that the States of the Netherlands keep from their people the knowledge of the offers of England for coalition and peace with them:

Of great preparations for the sea against the spring, of above one hundred sail of ships of war.

23. Letters of the Highlanders dividing themselves in several territories; that they often remove their quarters, and are in want of provisions:

That a party of the English killed three, and a captain of the lord Lorn's.

24. Letters of two Dutch prizes brought in by a private man of war:

That the Dutch about the Land's-end took an English ship which came from New-England:

That some French prizes were taken, and brought into Deal:

That the Highlanders make so high demands from the country that they are not able to supply them.

26. Letters that captain Hart, about Dumfries, with a party of English, pursued some of the enemies by the tract of the snow, and fell upon them, took sixty-five horses, sixteen prisoners, and many arms, and four of them slain: they fought very resolutely for a while: captain Hart lost but one man, and sixteen wounded.

That the late change of government in England was well resented by the army in Scotland, and they were unanimous to obey the lord protector:

That some gentlemen about Ruthen-castle in Scotland sent to captain Hill, the governor, to know, if an enemy should come into those parts, whether he would give them leave to furnish the enemy with provisions, &c., to rid them out of the country; to which he answered, that if any did so, they should forfeit their lives and estates.

Then he shows them the power of the state of England, and their kind dealing with the people of Scotland under their power, and the inconsiderableness of those in arms against the state of England, concludes with an absolute forbidding of them to give any assistance to the enemy, and to pay in their cesses.

Letters from Swedland of the safe arrival of the lord ambassador Whitelocke, and of his gallant reception there.

27. The lord protector and his council passed several ordinances: Ordinances.

For continuing the excise and the commissioners:

For the continuing the act for redemption of captives:

For alteration of several names and forms used heretofore in courts, writs, grants, patents, commissions, &c., and settling proceedings in courts of law and equity.

Divers prizes taken by captain Newbury between the Isle of Wight and the French coast, and several other prizes taken and brought in by others of the parliament frigates.

28. An ordinance published of the protector and his council for reviving of a former act for the probate of wills and granting administrations.

Letters that Chanute, ambassador for the French king, 579
with the States, did freely offer to them an alliance and assistance from his master, if they would break with Spain and England:

That captain Crispin pursued some French vessels into Conquet road, where he anchored, and the town and country came down to assist the picaroons and Dutch there; and Crispin made two hundred and thirty great shot into the town, and did much spoil to the ships, which got close under the houses.

29. The lord protector and his council sat very close, in ordering their despatches to the several forces in England, Scotland, and Ireland, and to their public ministers abroad.

30. The lord protector, with his council and the officers of his army, kept a day of humiliation at Whitehall.

That the lord protector was solemnly proclaimed at Plymouth, the magistrates present in their robes, the trumpets sounding, and guns firing, the bells ringing, and shouts and great acclamations of joy of the people.

Of two English ships loaded with masts, &c., coming from

New-England, taken by three Dutch men of war, and carried into Brest.

Of the like solemn proclaiming of the lord protector at Weymouth, Bristol, Shrewsbury, Exeter, Yarmouth, and many other places.

31. That the king of Scots was present with the king of France and the cardinal at evening prayer in one of the Jesuits' convents, and the dukes of York and Gloucester were with them.

That the Highlanders were grown up to the number of at least three thousand; that some of them overpowering in number a party of colonel Thomlinson's men, killed two of them.

That they imprisoned some heritors in those parts for refusing their levies and denying their orders, and giving out that whosoever shall not conform to their commands shall be proceeded against with force, and compelled to a submission.

January 1653.4

2. The instrument of government by the lord protector and his council was published for the view of all persons, together with the oath publicly taken by him.

3. Letters of the enemy's increasing in numbers in the Highlands, who meeting with four of colonel Morgan's dragoons near Edinburgh, barbarously murdered them, and the adjacent houses would not protect them: some of them were killed by a party of the English.

4. Letters of several small bickerings between parties of the Highlanders and of the English army:

That the Highlanders threaten sorely, and seize the persons of divers who refuse to assist them in their levies.

The Dutch ambassadors took their leave at a conference at Whitehall, and went to Gravesend for Holland.

Of general Monk's riding with his squadron in the Channel, and sending frigates abroad.

5. The protector and his council had several applications and addresses made to them from divers considerable places, acknowledging his power and government, and promising obedience to it.

6. Letters that judge Bulstrode came with a commission of gaol-delivery to Warwick, and in the execution thereof

gave great satisfaction to the people, commended the present government, and charged the grand jury to bring to justice any disturbers of it:

Of the lord Whitelocke's arrival and honourable reception at Gottenburgh.

7. Letters of an English ship cast away near Weymouth, and all her men drowned except the shipman and two passengers; and of picaroons coming into the mouth of the Severn and taking some vessels there:

That the Dutch ambassadors remained at Gravesend, and from thence made a further application to his highness and his council:

Of great thunder about Amsterdam, lightning and tempest, which destroyed about five hundred houses, and about forty merchants' ships sunk in the Texel.

9. Colonel Lilburn published a proclamation for all the Scots to bring in their horses to the next garrison to them, to prevent the enemy's taking of them, or being sent to them; and that for the horses so brought in the owners shall have satisfaction, or may keep their horses in the garrisons:

That a commanded party of colonel Rich's troop routed a party of the lord Kinoul's men, and took his lordship prisoner, and fourteen more, all wounded, and thirty-five horse, killed three of them, and lost but one man and five wounded.

10. Letters of a lamentable fire at Amsterdam, which burnt six hundred houses there:

That captain Welsh, after he had landed me and my retinue, being one of my squadron, took two Holland ships riding at the Seah, one of four hundred, the other of three hundred and fifty tons, laden with corn, wool, and planks, which he took and brought away with him, and by storm was forced to come a little way within the fort of Gottenburgh, but without the command of the fort.

I was earnestly pressed to send for the captain, and to discharge the prizes; but I answered, I conceived it to be a matter not appertaining either to myself or to the queen's officers to meddle with, and that I believed the queen's ports would not be denied to any Englishman, who had commission by authority of parliament, coming thither to shelter himself against storms.

That the conflict had been upon the high seas, betwixt the English and the Dutch, who were enemies: for these reasons I refused to do any thing in it.

Some of captain Welsh's men coming to Gottenburgh were stayed, and brought before the land-shere, who examined them; and sent his major to me, to know whether I would own the captain; whereto I answered, I did own him as one that had a commission by authority of parliament, and one of my fleet: whereupon the men were dismissed:

That the English have the more trouble there, and the less favour, because the queen's vice-admiral was a Hollander.

11. The lord protector and his council sat very close, and all things seemed to favour them both at home and abroad.

Foreign ministers.

12. Divers foreign ministers came over to the lord protector, and acknowledged his power; courted him, and gave him his title of *highness*.

13. Letters of six months' pay brought to the forces in Scilly islands:

Of prince Rupert's arrival at the French camp before Belfort.

580 14. Letters that a frigate chased a French man of war till he forced him on shore, and shot at him so fiercely, that some of the French coming down to the sea-side, four of them were killed with the shot from the frigate:

That the Highlanders continued stealing and plundering their countrymen who would not join and rise with them, or not pay their taxes:

That the Scots chose rather to be destroyed by the Highlanders than to give any intelligence of them to the English when they marched near them:

That some of the English fleet plied about the Land's-end, and others between that and the Downs; and others upon the French coast.

16. Copies of letters sent up from Glengary to captain Hill, governor of Bagnoth-castle, courting him, and informing him of the unsettledness in England; and answering his letters to the gentlemen of Bagnoth; and affirming divers to be up in arms in England for the king, with other the like stuff; and persuading him to return to his fidelity to the king.

Also the answer to the earl of Glencairn's letter by cap-

tain Hill, full of stoutness and handsome expressions, and also his letter to the gentlemen of Bagnoth.

17. Letters that the Dutch did exceedingly desire a peace with England, and the States sat often about it; and that the people in Holland were not so high as formerly in speaking against England; and that their neighbour princes feared and endeavoured to hinder a conjunction between the two commonwealths: Dutch letters.

That the supplies from England came to their forces in Scotland:

That the Highlanders were very active, and great men flock to them, as young Montrose and the lord Gordon:

That lieutenant general Fleetwood and the commissioners in Ireland appointed to try the lord Muskerry, and sent out parties against some tories.

An agent came from Hamburgh to congratulate the lord protector:

Of many protestants coming by boat from Charington after sermon towards Paris: the boat was cast away, and about sixty drowned.

Orders touching claims upon the bill for sale of delinquents' estates.

18. The trial of the Portugal ambassador's brother put off till the next sessions, upon the petition of the Portugal merchants.

An address of the army to the lord protector, congratulating his access to the government, and promising their obedience and faithfulness to his highness, and service to him, in the station wherein God hath placed him: Address.

Of a discontent between Glencairn and Lorn; and they divided, and warrants were sent to apprehend the lord Lorn.

19. Letters that the States were likely to agree to the English propositions for peace:

Of a prize laden with three thousand cheeses, brought in by the Hector frigate, and another Dutch ship taken by a private man of war.

20. Letters of the enemy's levies in the parliament's quarters, but that they dare not come to execute their own warrants: copies of them sent up to the protector.

These warrants were forbidden by colonel Cooper to be executed, under pain that any who obey them, or correspond

with the earl of Glencairn or any of his party, shall be proceeded against as enemies:

Of prizes taken upon the coast of Norway.

A day appointed for drawing lots for lands in Ireland.

Of mischiefs done by the tories in Ireland, who were beaten back to their bogs.

That the plague continues in some places there.

21. Letters that the tories in Ireland endeavoured to get into a body, but were prevented:

Of two Dutch prizes brought in:

That seventeen Dutch ships were arrived in Scotland, with one thousand five hundred foreigners, and some arms:

That in France an embargo was to be put upon all English ships and goods.

Treason. 23. An ordinance published by the lord protector and his council, declaring what offences, and no other, shall be adjudged treason within the commonwealth of England, Scotland, and Ireland.

Another ordinance touching the engagement, repealing all former acts touching the same:

Of two prizes of French wines brought in by a frigate.

24. That colonel Morgan was drawing together the English forces against the Highlanders:

That colonel Wogan was thought to be slain:

That Lorn's revolt startled the enemy:

25. That the lord Athol was sick:

That captain Cressey fell into the quarters of about forty of the enemy's horse, killed two, took some prisoners, and sixteen horse:

That a party of the English, being but thirty horse, fell upon another party of the enemy's and routed them; but the enemy having two hundred men in ambush, fell upon the English, slew the lieutenant and cornet, and seven of the troopers, and the rest made a difficult retreat.

Cheats went about in the names of the earl of Cleveland and lord Grandison to borrow moneys of divers persons of quality for the said lords; whereas the lords employed none such, nor knew any thing thereof.

26. That Mynheer Beverling, one of the Dutch commissioners that lately returned from England, was returned back from Holland thither, and had audience of the lord protector.

He affirms, that the province of Holland have agreed to the articles of peace with England, and that the other provinces will shortly do the same.

Mr. Feak and Mr. Simpson were examined before the council for preaching against the lord protector and his government.

27. Letters of the honourable reception and audience of the lord ambassador Whitelocke at Upsal, and the queen showed extraordinary respects to him.

A part of Paul's church fell down.

28. Letters that in the late engagement near Vaummond, captain Car and another Scotch commander of quality were slain, and divers prisoners taken, and the rest driven to the mountains.

30. Letters of twenty sail of Brest men of war out at sea, which took some English vessels in the Channel:

Of a defeat given to the Highlanders, and the taking of a town near Blair, fourteen killed, seven prisoners, and fifty horse taken, and many wounded:

That captain Car's and captain Kilsmore's lieutenants fired at each other at four yards' distance, and both of them fell from their horses and died.

Mr. Feak and Mr. Sympson sent prisoners to Windsor-castle:

That captain Minnes engaged four hours together with 581
four Brest men of war, and saved some English vessels from them, and rescued another vessel of Plymouth taken by a Brest man of war, and took in her seventeen French prisoners.

31. Letters of the officers of the army in Scotland sending up their addresses to the lord protector, owning his government:

Of two Dutch prizes brought into Newcastle, Dutch capers, in each fifty prisoners.

February 1653.

1. An ordinance passed by the lord protector and his council, appointing a committee of the army and treasurers at war as formerly.

Order by the lord protector and his council to add some persons as commissioners for the assessments.

Upon invitation of the lord mayor and aldermen of London, the lord protector appointed a day to dine with them.

Fifty stout men of war gone out to sea, and twenty more going out to add to the English fleet.

A declaration and address of the general at sea and officers of the fleet, owning his government, and promising obedience to the lord protector.

2. Letters that the United Provinces rejoice in the agreement and peace between them and England.

3. Orders for the drawing of lots by the adventurers for the lands in Ireland.

Divers intercepted letters from the cavaliers sent up.

Quakers. That the people in the north fell upon the Quakers and beat them, and the Quakers prayed to God to forgive them, which so convinced the people, that they fell out among themselves, and were sorry that they had beaten the Quakers.

That the English fleet was gone out to sea, divided into three squadrons, but not so far distant but that by their scouts they had quick intelligence and correspondency.

4. Letters of the French picaroons, who fly to their own coasts when any of the English frigates appear:

Of a bickering between the English and Highlanders.

Ambassadors from the duke of Tuscany. 6. An ambassador from the great duke of Tuscany to congratulate the lord protector:

Omerland. And two agents from the lords of the isles of Omerland in Holland, desiring to be esteemed as neutrals, and brought in the number and marks of all their ships, and desired to be accounted as a free state.

The frigates about the Land's-end rescued many English vessels from the French picaroons.

That Glencairn's captain lieutenant and seventeen of his men were taken by a party of the English, and they fell into divers of their quarters, and took many prisoners.

7. Letters of a chase of a French ship which ran on ground:

Of a Dutch ship of three hundred tons brought in prize:

That the Brest men of war took two vessels of Milford:

Hollanders incline to peace. Of all the United Provinces but Friezland agreeing to the articles of peace with England:

That the French ambassador in Holland laboured to continue the war between England and Holland, and offered to bear half the charge of it, but the States would not consent

unto it; that nevertheless the States go on with their preparations for the sea-war:

That there will be a great distraction and trouble among the people, in case the peace with England be not concluded.

8. The lord protector dined in London with the lord mayor and common-council by their invitation, at which the recorder made a speech to his highness. Lord protector feasted by the city.

The entertainment was in a magnificent manner; the streets railed on both sides, and the rails covered with blue cloth; twelve lackeys in rich liveries; the field-officers bravely mounted; the guards, &c.

The lord mayor and aldermen met his highness on horseback in their robes, and his highness knighted the lord mayor when he went away.

9. The lord protector appointed certain days to hear petitions from the masters of the requests; the lord protector made several sergeants-at-law.

10. Letters that the Irish had a general fast, and that some of the tories took twelve surveyors of the lands as they were travelling:

Of a Dutch pirate brought into Burlington-bay:

That some small bodies of the Irish were got together:

That a private man of war brought in a Dutch ship and a French ship prizes; and of fifteen other Dutch ships brought in prizes:

11. Of the Highlanders burning corn and outhouses, and doing much mischief to the Scots, who would not afford them supplies, and help their levies.

13. A servant to Mynheer Beverling, the Dutch ambassador in England, brought news that all the United Provinces had assented to the articles of peace with England.

Letters of the general inclinations of the people in the Netherlands to have a peace with England; for that another summer's war, and their loss of another year's free trade and fishing, would hardly be borne by the multitude:

That all the Orange party and cavaliers are against the peace, and discontented at it; that Middleton was going with about two hundred cavaliers towards the Highlanders.

14. Letters of a party of the enemy that came near Dunbarton, and but twelve of the horse got ready, and charged

them very stoutly, they being twenty-five horse, and took their lieutenant that commanded them, and two more, and wounded all the rest:

From Upsal, that the change of government in England was well resented in Sweden, and the lord ambassador's new credentials from the lord protector were well received by the queen of Sweden.

The commissioners for accounts being informed that some, pretending authority from them, do summon people in the several counties to places where they meet, to draw up accounts and claims, and exact unreasonable fees for the doing of it:

The commissioners declare that they gave no such authority to any person, but leave the people to their own liberty and conveniency, and will see those abuses punished.

15. The council of the protector sat close, and had good intelligence from the armies in all places and from the fleet.

Protector proclaimed at Dublin.

16. Letters that the lord protector was proclaimed at Dublin, but not so soon nor so cheerfully as he was in the north.

582 The articles were agreed to transplant the Munster tories into Flanders:

17. That Kinmore, with a body of two thousand men, lay quiet, expecting the issue of the Dutch treaty:

That colonel Wogan was dead, and most of his party sought to get out of Scotland again:

That an English lieutenant, with twelve dragoons, took four of Glencairn's own troop and eight horses:

That Glencairn by proclamation threatened fire and sword to all that did not supply him:

That six English soldiers were set upon by fifty Highlanders, who took three, and killed two of them, and the other escaped:

That colonel Drumond was got to the Highlanders with instructions from the king, and to see whether they were in such a posture as that the king might adventure to come to them.

18. Eleven persons were sent prisoners to the Tower, and some of them examined about a plot against the lord protector and the present government.

A private man of war from Holy Island brought in two Dutch prizes laden with east-country goods.

20. An address to the lord protector from the ministers of Leicestershire.

Two ordinances of the lord protector and his council published, one for the monthly assessment of 120,000*l.* for six months to be continued; the other for an explanation of a former ordinance touching treasons.

21. Letters that colonel Morgan, with a party of twelve hundred horse, foot, and dragoons, fell upon Glencairn and Kinmore's army, being two thousand, and routed them totally, and pursued them seven miles into the hills:

That captain Moltlows fell upon a house in Argyleshire, and took it with all the men, arms, and ammunition in it, and fired the house:

That lieutenant-colonel Cotterel marched from Glasgow to reduce the garrison of Ross Dew, but before he came near it the enemy ran away, and left word they had no orders to fight.

22. That captain Foster, with the Phœnix frigate, brought in a Swedish ship for prize, having prohibited goods on board her:

That captain Pack, with the Amity, in company of captain Foster, fought with a Zealand man of war, and killed and wounded most of her men, yet she would not yield till captain Foster came in to the Amity.

23. Letters of credence sent to monsieur Bourdeux to be ambassador extraordinary from the French king to the lord protector. Ambassador from the French king.

The king of Scots was to go from Paris upon the peace with England.

The Dutch admiral prohibited all their merchantmen from going to sea till the cessation of arms came from England.

That the States are sending ambassadors extraordinary to the lord protector to sign the peace with England.

Of English merchants' ships taken by the Brest men of war, and rescued by the English frigates.

24. Letters that colonel Daniel, with one thousand men, took in the lord Athol's house by storm, killed only three of the enemy's, the rest cried for quarter, and had it; colonel Daniel lost but one man, and took in the house two lieutenants, one ensign, two sergeants, two cornets, and one hundred and nineteen soldiers; eighty muskets, some firelocks

and swords, sixteen pounds of powder, and twenty-five troop horses. That there was in the house much meal, meat, malt, and oats, which colonel Daniel could not carry away; and therefore he set fire to a barrel of powder and those provisions, and blew up them and the house together.

25. That one of the late colonel Wogan's men, with three of his best horses, ran away to an English garrison:

That colonel Morgan, in his late engagement with Glencairn and Kinmore, killed one hundred and twenty of their men, took twenty-seven prisoners, with all their ammunition, and most of their arms, and eighty horse.

The business in Sweden went on very hopefully; I had great repute with the queen and the grand chancellor, and my new credentials were very well accepted of by them.

That the ambassadors were landed from Holland, with power to ratify the articles of peace with England.

The lords Newport and Youngshall, ambassadors extraordary from the States General, arrived with eighty persons in their retinue, and very gallant.

28. An ordinance of the lord protector and his council, published for the reviving of the jurisdiction of the county palatine of Lancaster, and for holding of assizes there.

Letters that Athol, Glencairn, Glengary, and Kenmure were drawing all their forces together, about four thousand, to be revenged of colonel Morgan; that they have taken off all their garrisons, and intend a flying army, and to lodge their ammunition in woods:

Vision. Of a Scotchman, who in a vision was warned to go to their general, and tell him, that because of their wicked living the judgments of God would light on them. The Scot not going to the general, was warned in a second vision to go to him, or else that the judgment of God would fall upon him, and was presently struck dumb, and declared all this by writing, and his resolution to go to their general, and to declare this to him in writing.

March 1653.

Leopold. 1. A public minister from the archduke Leopold had audience by the lord protector.

The lord mayor, aldermen, and recorder of London, attended the lord protector and his council about the business of a corporation to the city of Westminster.

I went on very hopefully in Sweden, but they are a little stumbled at the detention of Swedish ships in England.

2. Letters that the duke of Lorrain was seized upon, and secured by the archduke Leopold.

3. Letters that many of Athol's men forsook him, and that his levies did take little effect, the country being grown weary of his oppressions:

That one of colonel Daniel's men running away to Athol was taken again and hanged; that others ran away from colonel Daniel's regiment:

That major-general Lambert's regiment of horse and commissary-general Whaley's were come near to the Highlands:

That the States' ambassadors came in great state through London in coaches.

4. Letters that the English fleet rode at St. Hellen's point, near the Isle of Wight.

The Dutch ambassadors had audience of the lord protector in the banqueting house at Whitehall, which was richly hanged, and a chair of state for the lord protector, and a chair for the ambassadors, and a great multitude of people. 583 Audience of the Dutch ambassadors.

They acquainted his highness, that all the seven provinces had consented to the articles of peace, and had empowered them to ratify the articles; and they desired a cessation of arms in the mean time.

An ambassador was landed from the king of Denmark to the lord protector. Ambassadors from Denmark.

6. That lieutenant Hellin with six troopers chased six of the enemy's ten miles into the hills, and took them, their horses and arms, and one of them, being an Englishman, refused quarter, and was killed:

That major Bridge with a party took six of the enemy and seven horses:

That young Montrose had like to have killed the lord Lorn.

7. Of English seamen pressed for the fleet:

Of an English bark taken by a Dutch man of war, who restored her and secured her from a Brest man of war:

Of an English ship brought in prize into the Texel by a Dutch private man of war.

8. An ordinance for approbation of ministers by commissioners:

That six members of the lord protector's council were appointed commissioners to meet with the Dutch ambassadors to sign the articles of peace with them:

That still both the English and the Dutch prepared to increase their navies.

9. Orders by the lord protector for all to repair to their charges in Scotland.

10. Of barks taken by the Dutch freebooters in the north:

Of one hundred and forty Dutch ships arrived at the Fly from the east country:

That Middleton was gone for Scotland with two small men of war, and a little ammunition and some arms, and about three hundred volunteers.

11. Letters that Middleton was landed in the Highlands:

That the lord protector went on amain in his preparations for the sea, and caused divers mariners to be pressed, and drew out some land soldiers to put aboard the ships.

Middleton. 13. Letters that the Highlanders, upon Middleton's coming to them, give out that he brought with him two thousand five hundred foot and five hundred horse, whereas he had three hundred in all:

That captain Witter sent out a party to skirmish with captain Johnson before Blair-castle, and Johnson and one more were killed:

That captain Mason's troop and captain Palmer's troop, about Dumfries, fell foul upon one another, by occasion of one of their sentries, who was a Scotchman, and thinking they had been enemies, six of them were killed and many wounded, before they knew the mistake.

Inclinations of France. 14. Letters that monsieur Chanute, the French ambassador with the States, labours to put on the interest of his master, and to have him comprehended in the peace betwixt the two commonwealths:

That an east-land fleet of one hundred and fifty sail had brought to the Netherlands the necessary commodities for shipping that were wanting in those countries:

That the king of Scots was still at Paris, but had no encouragement to stay in that court, who much desired peace with the lord protector.

15. The lord protector's commissioners met with the Dutch ambassadors at their lodgings to examine papers, and to

compare the articles of peace agreed upon, with the ingrossment of them:

That the Portsmouth frigate and the Constant Warwick met with Beach, the admiral of the Brest pirates, and pursued him till night, when the two frigates were parted. Beach roving too and again in the night, chanced to light again upon the Constant Warwick, and thinking she had been a merchant's ship, came up to her to board her: Sea fight.

The captain of the Warwick demanded who it was, and Beach answered, he was the Portsmouth frigate, but the Warwick suspecting him, bade him stand off; then Beach perceiving his mistake, made away; but the Warwick being a good sailer made after him, and kept him company all the night:

That about six in the morning Beach begun the fight, firing three guns, which were answered by the Warwick, and the fight lasted till two in the afternoon, when Beach and his men called for quarter, and had it:

That Beach had five foot water in the hold when he yielded:

That he had two hundred men in his ship, whereof twenty were killed in the fight; that his ship was a gallant new vessel of forty-two guns, whereof thirty were mounted:

That there were taken with him nine captains, besides himself, and divers gentlemen; that this Beach was the chief ringleader pirate; that he lived at Brest like a prince, and had done much mischief to the English merchants.

16. The queen of Sweden and the chancellor were desirous to see what will be the issue of the treaty between England and the Dutch before they came to a conclusion with me: I was often in conference with the old chancellor Oxenstiern, and had great respect from him and from the queen:

That Middleton commanded the sheriff Sutherland to act no more in the name of the lord protector, but said he would give him a commission to act as sheriff under the king:

That he laboured much to raise men for the king:

17. That Middleton's son when he landed had but a few reformados with him, one hundred and fifty barrels of powder, and arms for about one thousand men; some say, in all, that he brought five thousand arms and two great guns, and that Seaforth had got together six hundred of his men to meet Middleton.

Middleton, and the rest had appointed a rendezvous to show their forces to him:

That colonel Morgan was marched that way to wait upon them and their motions.

18. Letters of a French vessel brought in prize by a private man of war:

That captain Potter, after captain Beach had yielded to him, and came on board the Warwick, Beach demanded of him the performance of articles, to be set on shore in France. Potter told Beach that he never heard of any such articles, and told Beach, if he would, he might go on board his own ship again, and fight it out, but Beach would not do so; that the fight between them lasted eight hours; that Beach had thirty-nine guns and two hundred men, whereof he lost
584 twenty; that Potter had but thirty-two guns, and one hundred and thirty men, and lost but two of them: that captain Potter brought Beach and his ship and company into Plymouth.

An order passed by the protector and his council appointing of commissioners for approving of ministers.

Another passed for disposing of forfeited estates in Scotland.

Two other ordinances passed for settling the customs and excise:

Of a Dutch ship of four hundred ton laden with pitch, tar, &c. taken prize by a private man of war.

20. That the lord protector passed a declaration, inviting the people of England and Wales to a day of solemn fasting and humiliation, and showing the ground thereof.

Letters of a great fleet gone from Newcastle for London, and ten more going forth after them, and without a convoy, were set upon by the capers, and though they run themselves on ground, yet after their men were got out, the capers got off five of the ten ships, and the other five were lost; that in a fortnight the capers had taken twenty-two coal ships.

21. The ordinance published for continuing the excise for one year, and the rates of the excise:

That the country who fail to send in their levies to the enemy expected fire and sword from them:

That a party of colonel Okey's regiment took a cornet and four troopers and eleven horses from the enemies.

22. Several meetings with the Dutch ambassadors by the lord protector's commissioners about the perfecting the articles for the peace.

Report of a match between the king of Scots and the duke of Lorrain's daughter; and that the king was to have 4,000,000, and the duke's assistance for his restoration.

23. The ordinance for approbation of ministers published, with the names of the commissioners, some of them being not ministers, and the greatest number of them eminent ministers.

24. Kept by the lord protector and his council a solemn day of humiliation, and they had three sermons at Whitehall.

25. An ordinance published for continuing the imposition upon coals for the building of ships:

Another, for passing custodies of idiots and lunatics:

Another, for continuing an act for pressing of seamen:

Letters that there wanted people in Ireland for manuring the ground: that the tories were near destroyed; and if they heard of any party of the English abroad they presently fled to the woods and bogs:

That the Highlanders had a rendezvous, and gave out that they were seven thousand men, but have no moneys; that the duke of York was expected to come to them.

The post, with the Dutch letters, was seized upon by thieves at Southwark, and the letters opened and thrown away:

That monsieur Bourdeaux was to be brought in state through London as ambassador extraordinary from the French king to the lord protector.

27. Monsieur Bourdeaux made his entry into London as ambassador extraordinary, attended with sixty coaches.

Upon letters from the Dutch ambassadors in England to their superiors, that the treaty of peace with England was not yet concluded, the States sent to their admirals and chief sea officers to repair to Amsterdam, and to take care that the fleet should be in readiness.

A list of divers prizes lately taken.

28. That the old natives about Lewes in Scotland joined with the English against Seaforth and his men, and killed many of them:

That the English commander-in-chief confined some persons for corresponding with the enemy.

29. The French king's ambassador, monsieur Bourdeaux, had audience by the lord protector in the banqueting house at Whitehall.

New frigates launched for the lord protector.

30. An ordinance passed for relief of persons that have acted in defence of the commonwealth.

Resignation of the queen of Sweden.

Letters of the resignation of her government by the queen of Sweden to her cousin the prince palatine: and of her knighting of the count de Montecuculi, general of the horse to the emperor.

An act passed for suspending the act for relief of poor prisoners and creditors.

Towns in Scotland fined by the court-martial for harbouring the enemy, the houses to be razed to the ground.

April 1654.

1. Letters that colonel Cooper with a party, falling into the enemy's quarters, took thirty-five prisoners, and killed twelve, and took sixty horse and some arms:

That about three thousand tories were shipped to be transported out of Ireland:

Of a Dutch prize brought in, and a ship of Flushing taken after five hours' fight.

3. Addresses to the lord protector from York, and of the city and grand jury of the county, acknowledging his government, and promising obedience thereunto.

Letters of a captain of Middleton's and six soldiers taken:

Of an English vessel surprised by Seaforth with boats; she was laden with arms and ammunition:

That the enemy were cruel in plundering and burning when the country did not obey their warrants.

The Portugal ambassador had audience of the lord protector.

The committee for approbation of ministers began to sit.

4. An ordinance published for probate of wills and granting letters of administration:

Another, prohibiting making of cock-matches.

The agent from the queen of Sweden had audience.

Letters of an English ship of one hundred tons taken by the Brest man of war:

Of another ship, of two hundred and fifty tons and forty guns, taken by a Flushinger, worth 5000*l.*; and most of the best ships of Weymouth taken by the Brest men.

5. The lord commissioner Lisle and sir Thomas Widdrington were sworn commissioners of the great seal before the lord protector and his council; and the lord ambassador Whitelocke, now in Sweden, is to be the other of them. Great seal.

The articles of peace were signed by the Dutch ambassadors and by the commissioners of the lord protector, and to be ratified by the principals in fourteen days; and to be publicly proclaimed in England and the Low Countries, and a messenger sent to the States for their subscriptions within that time. Peace with the Dutch. 585

6 An ordinance published for repairing the highways.

Letters that in sight of Leghorn was a fight betwixt a Dutch man of war of thirty-two guns and an English ship laden with currants, which lasted six hours, and then night parted them, and both the ships sunk, but most of the men were saved:

That a French man of war took an English ship of great value upon the coast of Apulia in Naples.

7. An ordinance published for adjourning part of Easter term.

A Dutch prize taken in the north:

Of the preparations and forces of Middleton's party, and of colonel Morgan's march towards them:

Of a prize brought into the Cows by a private man of war.

8. Of a man of war gone with an express to Holland for ratification of the treaty:

That the English fleet were one hundred sail of men of war out at sea, well accommodated:

That Denmark was taken into the treaty with Holland, and the losses of the English merchants, to 150,000*l.*, referred to two English and two Dutch merchants, to determine those demands within twenty days; and the business of Amboyna referred to eight commissioners; and if they agreed not within six months, umpires were nominated.

Letters that the French laboured hard to be comprehended within the treaty. Monsieur Chanute, their ambassador at the Hague, in the assembly of the States General, spake to this effect: Speech of Chanute the French ambassador.

Having understood by the deputies of this state in England, who

visited me after their return by order of their superiors, that their negotiations have brought the treaty of peace to equitable conditions, I come in the name of the king my master to congratulate with your high puissances, and to wish that this great affair may be readily determined to the honour and advantage of your provinces.

I am also to thank your high puissances for the constant and faithful communication which hath been given of this whole negotiation to the ministers of the king in England by your deputies to monsieur de Bourdeux, Neuf Ville, and to me in this court, by your high puissances yourselves, which hath not been done as a simple compliment, but because of the community of interests in this peace, and to make known to the king the care which the lords' deputies have had according to their instructions to comprehend France within the pacification.

I doubt not but your high puissances will persist to effect in this good intention, and to obtain a point so easy, since the instances of your deputies have reduced unto commodious terms a great number of the most difficult articles: so that it seems, this only point is reserved to your high puissances, to the end that the honour of this great office rendered to a potent king, your old ally, may be by the whole body of your state.

I therefore desire you, in the name of his majesty, so to carry on this business, that he may be comprised in the treaty of peace with England, and forthwith to do that yourselves which you gave instructions to your deputies to do; nevertheless, the affection of his majesty to this State is such, and so pure, that for his own interest alone he would not have made this request, if it had not been equally advantageous to the good of these provinces.

But since there is nothing more desirable to your high puissances than an union with France and England, if it should be otherwise, it were impossible that the trade of the State should not be extremely interrupted, being to pass daily through a straight channel between two powerful nations, enemies, and armed one against the other; that the free trade with France (which spends more of foreign commodities than any other part of Europe, and furnisheth more of her own to strangers) would not be beneficial to your subjects if it should be no peace, but a kind of languishing ruinous carelessness; and that thereby the freedom of trade should not be destroyed. These are the open and manifest propositions upon which I am to rely.

But these are reasons above the consideration of profit, and which render the inclusion of France in this treaty to be, as it were, necessary.

The peace will unarm the States, because your subjects, wearied with the war, would fain enjoy rest and the fruits thereof, and be discharged of the burdens occasioned by the expenses of the war.

It is not altogether so here at this time as in England, where the protector constantly entertaineth a powerful land-army, and also sea-forces; whereas always when a state lays down arms to enjoy peace, they must provide, instead of arms, strong and powerful alliances, as cautions of their peace. Whereupon their high puissances may judge of two things, first, in what condition shall France be to assist you, if there should be need, having much ado to keep herself from civil wars, keeping so many forces in the mean time, and alone sustaining the whole weight of the great house of Austria; she may be also attacked by England on one side; and in the second place, some thoughts may come into the mind of his majesty, if he know that his interests are so little regarded in these provinces.

There are likewise many things to be observed touching the security of the peace on the part of the state of England, without entering into the discussion of the rights of people and of sovereigns, whereof strangers are not judges; for it is true, that the force and the subsistence of the present government consisteth in the authority and industry of one man only: it is true also, that jealousy of trade, which hath chiefly occasioned the differences of the Provinces with England, and that the desire of drawing to themselves the trade, will not be ended by the peace: it is also true, that there is great difference of humour between the two nations; and in fine it is known, that there remain certain pretences of superiority, which are not cleared, but continue dissembled.

In the midst of all these circumstances, who can promise a long and sure peace? And is it not necessary to engage friends, and to interest them in this treaty, without expectation that France, being weakened with many wars at once, and these Provinces disabled by 586
the interruption of trade, become not in a condition to yield mutual assistance one to another?

Your high puissances are also too just to give the world cause to say that you regard not your friends but in the moment when you have need of them, and that you neglect to give them like succour as you expect from them. What will all the neighbourhood judge of such proceedings, that while these Provinces are treating in England, they let it be known that at the same time they are negotiating an alliance in France; and the treaty in England being brought near to effect, they speak no more of the alliance of France?

One would expect that these two treaties should march with an equal pace; it will be seen that one is advanced, and the other

stands still. If that of England be concluded, and no mention made of that of France, will it not rather be suspected that an alliance was proposed at Paris to obtain an advantageous peace at London? But it will not fall out so, these distrusts have not entered into the council of the king, the alliance will proceed, and if in the project which the commissioners of his majesty have given to the ambassador of your high puissances, there be any thing that requires a temperament, it will be done with justice and equality: since France will be free from misunderstanding with England; otherwise there would be too much difference in the condition of the contractors; your high puissances finding yourselves in full peace with Spain and England; and France being overcharged with new troubles from England, besides the war which she sustains against Spain.

The same justice to procure for France the accommodations with England, appears clearly in the design which your high puissances discovered when you resolved to treat an alliance with France; for they thereupon gave instructions to their ambassadors in two cases, the one of the peace, the other of the war with England; desiring in the last case, that the king should employ his forces for their succour: and it is equity that you shonld include in the peace him whom you would have engaged in the war; otherwise you would reap all the benefit to yourselves, and put all the hazards upon your friends.

These conditions are so natural and pressing, that they may surmount the greatest obstacles, if you shall include France in the peace of your high puissances with England; but if you do not, or be found slack therein, it cannot be said here, as in other treaties, that France would not have peace, for she demandeth it instantly.

It cannot be alleged what was said to your deputies on the behalf of the king of Denmark,

That that prince did not at all appear by his ministers, France had hers at London: the English are offended with Denmark; no such thing appears against France. It cannot be objected that our differences are of long discussion, and mingled with divers pretensions; nor that there is any great war to be determined, or long animosities to be extinguished.

It is not a war, nor is it any hatred, but these differences between us and England may rather be named disorders in the commerce of particular persons, and are principally upon such matters as make application to the office of friends, to prevent the mischiefs of war before they be declared. The thing then is easy of itself, but much more easy in the condition you are in.

England is willing to have a peace with you, and without searching into the reasons wherefore they desire it, it appears sufficiently

that they are willing to have it, parting with so many pretensions which were put forth in the beginning; it is not credible that they would lose the occasion of this accommodation with the Provinces in the present constitution of affairs, for this only circumstance, the including of France; they would the rather have peace with your high puissances, if they saw you straitly united with France. And if it should fall out otherwise, it would necessarily be believed that England had higher designs, that it were joined with Spain, and that the peace presented to the United Provinces were but a blind, to disunite them from their ancient friends, and to ruin them with joint forces of the Spaniards when they had separated them. But I have no such opinion, I esteem England to treat sincerely with your high puissances, and hope that, after you have well considered this inclusion which I demand of you in the peace, what profit it will bring, how necessary for your trade, and to the security of a reasonable treaty among friends, just between allies, and easy to be obtained, you will not lose the favourable occasion to perform one of the best actions that hath been done since the foundation of your state; promoting a peace to a great kingdom, doing a good office to a powerful king, and making known to all the world what they may expect from your friendship.

Hereupon I shall attend the answer of your high puissances, to make it known unto the king my master.

10. The ordinance published for adjourning part of Easter term; that in the mean time course might be taken for reforming the abuses and corruptions in the proceedings of law.

A congratulation to the lord protector from the town of Newcastle.

Letters that cornet Kennet, with twenty men, going to collect an assessment about Dumfries, were set upon by forty of the enemy, received their charge, and then charged through the rebels, routed them, killed four, took six, and had only four of his party wounded:

That lieutenant Hickman, with another party, fell upon sixty of the enemy, took six, and about twenty horse:

That another party under cornet Keys and lieutenant Young, with about forty horse and thirty foot, fell upon a party of the enemy, being sixty horse and sixty foot, routed them, and killed a captain and twelve soldiers, took several officers, and forty soldiers, and twenty horse, and lost but one man, and another wounded:

That major Bridge took two prisoners, and six horses, which he restored to the country from whom the Scots had taken them:

That lieutenant Hickman had routed the enemy, and taken some prisoners, slew three, and pursued them to the hills.

11. Letters that the ratification of the articles of peace with England was signed by most of the States.

12. An ordinance passed touching surveyors of the highways:

Another, forbidding planting of tobacco in England:

587 Another, for the union of Scotland with England, in these words:

His highness the lord protector of the commonwealth of England, Scotland, and Ireland, &c., taking into consideration how much it might conduce to the glory of God, and the peace and welfare of the people in this whole island, that after all those late unhappy wars and differences the people of Scotland should be united with the people of England into one commonwealth and under one government; and finding that in December one thousand six hundred and fifty-one the parliament then sitting did send commissioners into Scotland to invite the people of that nation unto such an happy union, who proceeded so far therein that the shires and boroughs of Scotland, by their deputies convened at Dalkeith and again at Edinburgh, did accept of the said union, and assent thereunto. For the completing and perfecting of which union, be it ordained, and it is ordained by his highness the lord protector of the commonwealth of England, Scotland, and Ireland, and the dominions thereto belonging, by and with the advice and consent of his council, that all the people of Scotland, and of the isles of Orkney and Zetland, and of all the dominions and territories belonging unto Scotland, are and shall be, and are hereby incorporated into, constituted, established, declared, and confirmed one commonwealth with England; and in every parliament to be held successively for the said commonwealth, thirty persons shall be called from and serve for Scotland.

And for the more effectual preservation of this union, and the freedom and safety of the people of this commonwealth so united, be it ordained, and it is ordained by the authority aforesaid, that all the people of Scotland, and of the isles of Orkney and Zetland, and of all the dominions and territories belonging unto Scotland, of what degree or condition soever, be discharged of all fealty, homage, service and allegiance, which is or shall be pretended due unto any of

the issue and posterity of Charles Stuart, late king of England and Scotland, or any claiming under him; or that Charles Stuart, eldest son, and James, called duke of York, second son, and all other the issue and posterity of the said late king, and all and every person and persons pretending title from, by, or under him, are and be disabled to hold or enjoy the crown of Scotland, and other the dominions thereunto belonging, or any of them, or to have the name, title, style, or dignity of king or queen of Scotland, or to have or enjoy the power and dominion of the said kingdom and dominions, or any of them, or the honours, manors, lands, tenements, possessions and hereditaments belonging or appertaining to the said crown of Scotland, or other the dominions aforesaid, or to any of them, any law, statute, usage, ordinance, or custom in Scotland to the contrary hereof in any wise notwithstanding.

And it is further ordained by the authority aforesaid, that the said office, style, dignity, power, and authority of king of Scotland, and all right of the three estates of Scotland, to convocate or assemble in any general convocation or parliament, and all conventional and parliamentary authority in Scotland, as formerly established, and all laws, usages, and customs, ordaining, constituting, or confirming the same, shall be and are hereby and from henceforth abolished and utterly taken away, and made null and void.

And that this union may take its more full effect and intent, be it further ordained by the authority aforesaid, that the arms of Scotland, viz. a cross, commonly called St. Andrew's cross, be received into and borne from henceforth in the arms of this commonwealth, as a badge of this union; and that all the public seals, seals of office, and seals of bodies civil or corporate in Scotland, which heretofore carried the arms of the kings of Scotland, shall from henceforth, instead thereof, carry the arms of this commonwealth.

And be it further ordained by the authority aforesaid, that all customs, excise, and other imposts for goods transported from England to Scotland, and from Scotland to England, by sea or land, are and shall be so far taken off and discharged, as that all goods for the future shall pass as free, and with like privileges, and with the like charges and burdens from England to Scotland, and from Scotland to England, as goods passing from port to port or place to place in England; and that all goods shall and may pass between Scotland and any other part of this commonwealth, or the dominions thereof, with the like privileges, freedom, charges, and burdens, as such goods do or shall pass between England and the said parts and dominions, any law, statute, usage, or custom to the contrary thereof in any wise notwithstanding. And that all goods prohibited by any

law now in force in England, to be transported out of England to any foreign parts, or imported, shall be and hereby are prohibited to be transported or imported by the same law and upon the same penalties, out of Scotland to any foreign parts aforesaid, or from any foreign parts into Scotland.

And be it further ordained by the authority aforesaid, that all cesses, public impositions, and taxations whatsoever, be imposed, taxed, and levied from henceforth proportionably from the whole people of this commonwealth so united.

And further, to the end that all dominion of tenures and superiorities, importing servitude and vassalage, may likewise be abolished in Scotland; be it further declared and ordained by the authority aforesaid, that all heritors, proprietors, and possessors of lands in Scotland, or the dominions thereunto belonging, and their heirs, shall, from and after the twelfth day of April in the year of our Lord one thousand six hundred fifty and four, hold their respective lands of the respective lords and lords by deed, charter, patent, or enfeofment, to be renewed upon the death of every heritor, proprietor, possessor, (as now they do,) to his heir or heirs, by and under such yearly rents, boons, and annual services as are mentioned or due by any deeds, patents, charters, or enfeofments now in being, of the respective lands therein expressed, or by virtue thereof enjoyed, without rendering, doing, or performing any other duty, service, vassalage, or demand whatsoever, by reason or occasion of the said lands, or any the clauses or covenants in the said deeds, charters, patents, or enfeofments contained, saving what is hereafter herein and hereby par-
588 ticularly expressed and declared, that is to say, heriots, where the same are due, fines (certain where the same is already certain, and where the fine is uncertain, reasonable fines) upon the death of the lord, and upon the death or alienation of the tenant, or any of them, where the same have usually been paid, which said fine (not being already certain) shall not at any time exceed one year's value of the lands, and also doing suit and service to such court and courts baron as shall be constituted in Scotland, in such manner as is ordained by one other ordinance, intitled, *An ordinance for erecting courts baron in Scotland.*

And be it ordained by the authority aforesaid, that all and every the heritors, proprietors, and possessors aforesaid, and their heirs, are and shall be from henceforth for ever discharged of all fealty, homage, vassalage, and servitude, which is or shall be pretended due from them or any of them, unto any their lords or superiors whatsoever, claiming dominion or jurisdiction over them by virtue of the said patents, charters, deeds, or enfeofments, and other rights there-

of, or of any clauses or conditions therein contained, other than as is before declared and ordained. And that all the said superiorities, lordships, and jurisdictions, (other than as aforesaid,) shall be and are hereby abolished, taken off, and discharged; and that all and every the said deeds, patents, charters, and enfeofments, in that behalf, be and are hereby declared and made so far void and null; and particularly, that all and every the heritors, and others the persons aforesaid and their heirs, are and shall be for ever hereafter freed and discharged of and from all suits, and appearing at or in any their lords' or superiors' courts of justiciary, regality, stuartry, barony, bailiary, heritable sheriffship, heritable admiralty, all which, together with all other offices heritable, or for life, are hereby abolished and taken away; and that all and every the heritors, and persons aforesaid, and their heirs, are and shall be for ever hereafter freed and discharged of and from all military service and personal attendance upon any their lords or superiors in expeditions or travels, and of all casualties, of wards' lands formerly held of the king, or other superiors, and of the marriage, single and double avail thereof, non-entries, compositions for entries, and of all rights and casualties payable, if they be demanded, only or upon the committing of any clauses irritant. And that the said heritors and persons aforesaid be now and from henceforth construed, reputed, adjudged, and declared free and acquitted thereof, and of and from all and all manner of holding suits, duties, services personal or real, and demands whatsoever, (other than is before declared and ordained,) notwithstanding the present tenor of any their deeds, patents, enfeofments, or any clauses, articles, or covenants therein contained or mentioned to the contrary in any wise; and that in time to come all and every clause, covenant, article, condition or thing to the contrary hereof, shall be omitted out of all such deeds, patents, charters, and enfeofments.

And be it further ordained, that all forfeitures, escheats, simple or of life, rent bastardy, and last heir, which heretofore escheated, forfeited, and fell to the king, lords of regality, or other superiors, shall from henceforth fall, escheat, and forfeit to the lord protector of the commonwealth for the time being.

13. The Highlanders grew numerous, and were about three thousand strong, and colonel Morgan was marched near them.

14. That the pirates of Brest took several English merchants' ships, and came into the very mouth of the Severn:

That the enemy had a general rendezvous, and were ill

armed; that they had orders from lieutenant-general Middleton, who had in his party but two hundred horse:

15. That the fleet rid in Stoaks bay:

Peace with Holland. That the States of Holland had fully ratified the articles of peace in every part with great rejoicing.

17. The ratifications of the peace signed and sealed by all the States of the United Provinces came to their ambassadors here, and was by them presented in a silver box to the lord protector.

One Rogers taken at Leith with several commissions from the king to raise forces.

Eleven Dutch men of war set upon an English merchantman, and took her.

Morgan. That colonel Morgan, with eight hundred and fifty horse and one thousand six hundred foot, had beset the enemy, who were eight hundred horse and three thousand foot.

An Holland East-India ship of eight hundred ton, outward bound, laden with seventy-five ton of goods and four chests of silver, was taken by captain Stayner and captain Smith:

Frigates. That three frigates met with a fleet of forty-eight sail of French ships, fell in among them, shot their admiral, vice-admiral, and rear-admiral, and spoiled them; and the rear-admiral sunk, another of them sunk, and they took another of them, and lost not a man, and afterwards they took four more of them.

18. Commissioners sent to treat with the lord ambassador Bourdeaux at his house in London, touching the peace with France.

An ordinance passed for continuing the imposition on coals.

Order of the council touching the improvements of forests.

Letters from Upsal of the passages there, about the treaty, and the queen's resignation to the prince palatine.

19. The ambassador from the duke of Gelders had audience with the lord protector.

An ordinance published for suspending proceedings upon a former act for relief of poor prisoners and creditors.

20. Of one Darcy, made a colonel, and knighted in France by the king of Scots.

Scots. 21. That lieutenant Hunt fell upon a party of the Scots in the Highlands, took seven prisoners, eleven horse, twenty

cloaks, and many of their cloak-bags, and rescued two prisoners:

That the enemy were four thousand horse and foot, and colonel Morgan but two thousand five hundred, and near one another. Morgan.

That the parliament's garrisons in the Highlands were stored and supplied with all manner of provisions and ammunitions.

22. Letters of a frigate that convoyed ammunition and some merchants' ships to Leith, in her return was set upon by eight Dutch men of war, and after a hot skirmish boarded and taken:

That captain Potter brought in another Brest pirate. 589

An express sent to the States of the ratification of the treaty by the lord protector.

24. Divers Dutch prizes taken.

The ordinance published for the uniting Scotland into one commonwealth and under one government with England. Scotland.

Another ordinance published, of grace and pardon to the people of Scotland:

Another, for settling the estates of the excepted persons in Scotland upon trustees for the commonwealth of England:

Another, for erecting court barons in Scotland.

An order published touching the peace with Holland.

25. Letters of colonel Morgan's march after the Highlanders, and a quarrel amongst them about plundering a kinsman of the lord Montrose, and other quarrels among their officers:

Of prisoners taken by the English garrisons.

A proclamation by the commander-in-chief of the English forces, to the effect as formerly, forbidding correspondence with or harbouring of the enemy. Proclamation.

Letters from the Dutch ambassadors in England to the States, that the peace was fully concluded, and that the States were to be responsible for 140,000*l.* for the damage done by the Danes to the English; that the ships detained in the Sound were to be restored. Peace with the Dutch.

The States sealed and signed the articles, and sent away the ratification to England, and the lord protector also ratified them.

26. The peace between England and the United Provinces

was solemnly proclaimed by sound of trumpet in Whitehall-court in the presence of his highness and his council; afterwards by the heralds, sergeants-at-arms, and other officers, who were received by the lord mayor at Temple-bar; there it was proclaimed, and then at the old Exchange.

An account of the negotiation of the lord ambassador Whitelocke in Sweden.

27. Letters of a Dutch ship taken, of rich value, by a private man of war.

The lord protector feasted the Dutch ambassadors at Whitehall very sumptuously.

Scotland. 28. Letters of the numbers of the enemy increasing, and some of their party gleaned up by the parliament's soldiers:

That the enemy was to the north of colonel Morgan; so that they must engage with him, or else they cannot pass southward by him.

29. Letters of the tories in Ireland narrowly pursued, and suppressed:

Of mischiefs done by the pirates on the western coast and about Bristol:

That the fleet rid in Stoak's bay.

May 1654.

1. Letters that captain Rogers, who was agent with Glencairn from the king, was executed at Edinburgh, upon sentence of the court-martial, for a spy:

That general Monk was arrived at Leith:

That a Scotch gentleman, with six of his men, defended a little tower against the Highlanders, and killed four of them.

Army. A letter signed by all the officers of the army in Ireland acknowledging the lord protector.

Proclamation. 2. A proclamation by the lord protector for a cessation of all acts of hostility between the commonwealth of England and that of the United Provinces, and for restitution of ships and goods taken after the time mentioned in the articles of peace.

Address. An address from the justices of the peace, magistrates, officers, and grand jury of Shropshire, to the lord protector, acknowledging his government.

3. Ships sent out from the Texel to call in the Dutch freebooters.

I pressed for a conclusion in my business in Sweden; the queen discharged most of her servants, in order to her resignation.

4. That the lord protector and his council did not sit so frequently as formerly, and all things went according to their desire.

5. Letters that colonel Morgan saw the enemy, but could not engage them for want of boats to pass the water, and therefore retreated to his quarters: Morgan.

That general Monk was making preparations to visit the enemy.

6. Letters that Middleton's numbers did decrease and sometimes increase:

Of five French ships taken by a frigate, and of an English ship taken by a private Brest man of war.

8. Letters that general Monk had meetings with the officers of the army, and they resolved to go to colonel Morgan:

That the peace with England was proclaimed in Holland, and a day of thanksgiving appointed for it.

9. An address to the lord protector from the town and county of Pool, to the same effect as others were.

I made a firm alliance with Sweden, and was expected at Hamburgh in few days.

An ordinance published, touching the further sale of deans' and chapters' lands.

10. A declaration of the lord protector for a day of thanksgiving for the peace with Holland, and for the late seasonable rain.

11. Of a discovery made by an Indian to an English ship of a plot against them.

Of a council of officers about the dividing the lands in Ireland. Ireland.

A congratulatory letter sent from the army in Ireland to the lord protector.

Of the solemn reception of general Monk at Edinburgh, and the proclaiming the lord protector there, the feasting of general Monk, and the fireworks. Scotland.

That the Highlanders expected the king amongst them, and received supplies of men, arms, and money, by two ships from Dunkirk.

12. Letters that in Ireland there wanted men to till the

land; that few tories were left there; that two Brest men of war came near to Liverpool.

Letters that in Holland there sticks one particular, which hath occasioned some trouble at the Hague; to wit, his highness and the two ambassadors here, who serve for the Province of Holland, viz. Beveningk and Newport, (the other knowing nothing of it,) agreed a secret article, that the Province of Holland should not of themselves ever consent that the States General should make the prince of Orange or any of his line stadtholder, or captain general of their forces, by sea or land.

Secret article.

After the generality had ratified the treaty, this was propounded in the assembly of the States, every one before having sworn secrecy; upon the propounding of it great dissatisfaction arose amongst them; but at last they passed it, being dissenters, four noblemen, and four sovereign towns; of the nobles that agreed to it were, Bredrode, general of their forces, Opdam, admiral of their fleet. Notwithstanding the secrecy, it came the next day to the States General.

The other six provinces have protested against it, and accuse the two ambassadors as having done, not only beside, but against their instructions. But Holland will carry it through all, though I verily believe they have great difficulties to contest with; the animosities and jealousies which are occasioned by this will not easily be extinguished.

His highness hath not yet received the ratification of this article from Holland, but expects it daily; although all endeavours will be used to persuade his highness to go from it.

There is included in this peace, besides Denmark, the Swissers, Hans-towns, count of Oldenburgh, the duke of Holstein; and alliance with Sweden being made, there will be a good understanding between most of the protestant states; and opportunities may, through God's blessing, arise from thence to promote that interest. All the question is, what is to be done with the two crowns of France and Spain? they both seek our friendship and alliance, but nothing is yet done with either of them. I trust God will lead to such an interest as will be for his glory and the good of this state.

The Denmark agent, Rosenwing, had his public audience, since which he hath offered nothing; so that the advertise-

ment concerning him, in reference to the isles of Orcades, came in very good time.

The treaty with Portugal is not yet come to any agreement, the business of his brother yet sticks; his highness hath now ordered his trial by a special commission of oyer and terminer. The commissioners are, my lord Rolles, justice Atkins, sergeant Steel, doctor Zouch, doctor Clerk, doctor Turner, sir Henry Blunt, Mr. Lucy, and alderman Tichburn.

13. Letters that the French picaroons did much trouble the fishermen about Rye:

15. That the enemy will not come near to colonel Morgan.

A proclamation by the commander-in-chief in Scotland for pardon of those in rebellion who shall come in by a day; and for their parents and relations, if they shall come in; and imposing a fine upon every parish and presbytery, whereof any one continueth in rebellion, if they do not discover him; and rewards to those that shall apprehend any of the rebels and their principal commanders, or kill them.

Order of the justices of peace of Wales against licenses to drovers, &c.

16. The lord mayor and aldermen of London dined with his highness the lord protector.

17. An ordinance for suspending the proceedings of the judges, touching relief of poor prisoners and creditors.

18. Monsieur Bourdeaux, the French ambassador, had audience by the lord protector.

19. An ordinance published concerning the better repairing of the highways, and another for relief of debtors in Scotland in some cases of extremity.

I having happily concluded the business with the crown of Sweden, was upon my journey homewards. Swedland.

That preparations were made for the queen's resignation, and for crowning king Charles:

20. That Ireland was settled in as much peace as it was before the rebellion:

That general Monk was marching northward, and Middleton and his party were raising new forces: Monk.

That Middleton's brother was taken, and five or six officers more; that general Monk had hanged two of them for spies, and had burnt an inn in Musselburgh for harbouring them:

That the governor of St. Malos in France, upon some English coming ashore from their ships to get fresh water, took an alarm, killed divers of the seamen, and shot at the ships; but they got off, and then he seized the goods, and turned the English out of the town:

That the peace with Holland is entertained here with all satisfaction, but is not so on the other side; especially because of the secret article, which excludes the house of Orange's family from being stadtholder of the United Provinces, or any of them.

Besides the protestation which the other six provinces made against Holland, as to this, remonstrances have been put forth *pro* and *con;* and but that the Orange party fears the protector's joining with Holland, it is more than probable that they had been in arms one against the other by this time: what the issue will be time will show.

Endeavours are used to persuade the protector to remit the article, but in vain.

22. Letters that a party of twenty-two English dragoons met with sixty Scots, routed them, killed their captain, two cornets, and six more, and took divers horse and men:

The States General published a proclamation for prevention of disturbances or breach of the peace betwixt England and them:

That the Spanish ambassador in Sweden at his taking leave had a present from the queen worth eight thousand rix dollars.

23. Observed as a day of public thanksgiving for the peace with the Dutch.

Strike sail. That some English men of war meeting with Dutch merchantmen, the Dutch struck sail, and acknowledged the sovereignty of England in the seas, and were very civil to the English.

Of some French ships taken prize.

Plot. 24. Divers apprehended on suspicion of a plot and conspiracy against the lord protector and his government, and to raise a new war. Whereupon the lord protector set forth

Proclamation. a proclamation for a list to be brought in of the names of all lodgers and of all inhabitants and of suspected persons in London, Westminster, and the lines of communication; the list to be delivered into the council at Whitehall.

25. Another proclamation published by the lord protector touching some parts of the agreement and peace with the Dutch to be observed.

Order of the lord protector's council touching the moneys collected for relief of those who suffered by the late fire at Marlborough.

26. Letters of some pirates upon the northern coasts, pretending commissions from the king of Scots:

That Middleton's men ran away from him, and fed upon horseflesh for want of provisions:

27. That general Monk was marched towards the hills to observe the passes, and to engage the enemy if possible he can.

29. An ordinance published for preservation of the works of the great level of the fens.

Debate of a further act for ejecting scandalous, profane, and ignorant ministers.

Lieutenant-colonel Lilburn moved by his council in the king's bench for a *habeas corpus*, but in regard he was a prisoner in Jersey, where the government is distinct from the law of England, the *habeas corpus* was not granted. Lilburn. 591

30. Letters that general Monk was marched unto the hills in Scotland.

The commissioners for arbitration of the losses and damages sustained by the English from the Danes met and began their business.

31. One of the prisoners committed for the plot against the lord protector made his escape through a house of office near the Thames.

Three frigates of the English fought with twenty French bankers, and came off without any damage to them.

June 1654.

1. Bonfires and fireworks made in the Low Countries for celebrating the peace with England, and great rejoicing by the people there for the peace and happy union with England, which gave them great and general contentment. Bonfires.

2. Three new judges made, sergeant Pepys, sergeant Newdigate, and sergeant Windham.

Letters of a French prize taken:

That the lord Argyle meeting the lord Glencairn's trumpet

and cook, seized upon them, and sent them prisoners to his house, and then met with general Monk, who had four regiments of foot and eighteen troops of horse; and Argyle had a considerable number of men in a warlike equipage.

3. That vice-admiral Lawson and other ships were in the north; nine frigates by the general sent to the westward.

5. Letters that captain Hilliar with twenty-four dragoons routed sixty of the enemy, killed nine, and wounded twelve of them, and took many arms and horses.

6. The general caused two ferry boats to be sunk near the Highlands, to prevent the enemy's passing:

Fire. That Cashel in Ireland was burnt down to the ground wholly in an hour, except some few houses in the midst of the town, where the English lived, miraculously preserved.

An address to the lord protector from Warwick, congratulating his access to the government, and promising obedience to it.

Plot. 7. Upon the examination of the plot against the lord protector and his government, it appeared that the conspirators intended to assassinate the protector and some chief persons in the government, and to proclaim the king, with pardon to all except three persons.

Sir Gilbert Gerrard, and two of his brothers, colonel Ashburnham, Mr. John Ashburnham, with several others, were under custody for it. An addition made to the guards at the Tower.

An address to the lord protector from the town of Berwick, to the effect with the former.

8. The protector's council and officers were very busy, and sat day and night upon examination of the late plot against his highness and his government.

Parliament. 9. The writs for choosing members to sit in parliament, appointed to be held the third of September next, were prepared by warrant from the protector; and the forms of indentures between the sheriffs and the electors were ordered to be printed, and sent down to the several sheriffs.

Monk. Letters that general Monk sent forth small parties, who met with some of the enemies about Douglas-castle, and took eight of them in one place, and twelve in another place, and twenty-four horses:

Scotland. That colonel Morgan gave the enemies a hot alarm in the

Highlands, but could not engage them; that divers of Middleton's men running away from him, and some of them brought back again were put to throw dice, and the tenth man of them was hanged or shot:

That Montrose's men marching through the country of Athol did so plunder them, that the people rose upon them, beat them, and took eighty horse from them.

10. Letters that the marquis of Argyle was raising men, and was reconciled to his son the lord Lorn, and both of them joined with the English:

That the enemy turned the countess of Sutherland out of her house in a snowy stormy night, she being weak and sickly, and would not suffer her to take any thing out of her house but the clothes upon her back.

12. Gordon, a chief commander of the enemy, came in upon articles to captain Swayn.

13. An ordinance passed for reviving the judges at Salters'-hall, and for relief of creditors and poor prisoners, which formerly was in force, and for some time laid aside by ordinance of the lord protector and his council.

14. An ordinance published for an assessment to be continued for six months at 120,000*l.*, for maintenance of the armies and navy, for the three first months, and at 90,000*l.* for the three last months. An ordinance to enable judges to keep assizes at Durham. Poor prisoners.

16. A privy search made throughout the town for persons suspected to be in the plot against the lord protector and his government, and divers examinations taken, and an ordinance published for an high court of justice to try the conspirators. Plot.

17. Letters of two troops, newly levied by the enemy, routed by the English; that lieutenant Moor took a captain and seven of another party; another took a captain and eight more; and captain Daniel took thirteen of another party, and killed divers.

19. Letters that the English in parties had sometimes in one day marched sixty miles after the enemy, and killed and taken many of them:

That colonel Daniel took four hundred men and horse from them, going to a rendezvous.

20. The earl of Oxford and other persons were appre- Earl of Oxford.

hended as conspirators in the late plot against the lord protector.

An ordinance passed for continuance of the commissioners of the admiralty.

Fleet. Of two Brest men of war assaulting a fleet of English vessels laden with coals and other commodities, which were rescued by captain Gawden, who had a small ship with four guns only, yet fought singly with the Brest pirates, and made them fly:

French. That the English at St. Malo's in France were abused by the French without any provocation, and beaten by them in tumults, and one English man thrown by them over the quay, of which he died. The like insolencies offered by the papists to the protestants at Rheims.

21. An ordinance passed for bringing the public revenue into one treasury.

Letters of the insolencies and drunkenness of the enemy in Scotland.

23. An ordinance passed for giving further time for approbation of public preachers.

592 Letters that since the peace with England, trade was much revived in the Netherlands, and that eight hundred vessels were from divers parts come into the port of Rotterdam, besides those come into their other harbours:

Monk. That general Monk was come into the Highlands, and sent a summons to a garrison of the enemy's in Lough Tay, and the governor answered, he would keep it for the king to the last drop of his blood; he being persuaded that the English would not get over the water to him; but perceiving them to make a passage over with planks his courage abated, and he yielded the garrison upon terms proposed by general Monk: the place was very considerable.

24. Letters that general Monk passed by some garrisons of the enemy's, and would not spend time to besiege them, but left them to be reduced by some English garrisons near them:

Of a party sent from Edinburgh which slew three tories, and took twelve prisoners, and many horse from them.

26. Letters that colonel Morgan was marched into the Highlands in Scotland, to endeavour to engage Montrose before his conjunction with Middleton:

That lieutenant-colonel Bryan was landed with a party from Ireland to assist the Highlanders:

From Dublin, that all things were well there, only some interruption for want of the new authority; and that they had sent some of their forces into Scotland to assist general Monk; and of provisions shipped from Chester for the north of Scotland: Ireland.

That in Ireland they were reducing supernumeraries, and had arms come for them, which they were to have for their security in their plantations.

An ordinance published for further encouragement of adventurers for Ireland, and of the soldiers and planters there.

27. The high court of justice sat, the lord commissioner Lisle was president. High court of justice.

Order of the lord protector and his council about the election of members for the parliament.

Caresses made to me at Lubeck and at Hamburgh.

28. An ordinance published for distribution of the elections for Scotland for members to sit in the next parliament; they to be thirty in number for all Scotland. Election of members.

The like for distribution of the election of members in Ireland for the next parliament in England; they to be also thirty, and they to have vote with the members in the parliament of England, as those thirty from Scotland also are to have their votes.

A Romish priest, who was formerly condemned, and pardoned and banished, and now returned again, was hanged, drawn, and quartered.

29. That the king of Scots and his two brothers went to visit the Jesuits' college at Chantilli, and were entertained with divers speeches, extraordinary respects and compliments, and with a sumptuous collation.

30. An ordinance published against duels, challenges, and all provocations thereunto.

The high court of justice sat in the chancery prepared for them, and first, Mr. Somerset Fox was brought before them, who confessed much of that which was charged against him by Mr. attorney Prideaux, Mr. solicitor Ellis, and Mr. sergeant Glyn, the protector's counsel. High court of justice.

Then Mr. John Gerrard and Mr. Vowel were brought before them, and charged for a conspiracy to murder the lord

protector as he should be going to Hampton-court, to seize the guards, and make themselves masters of the city and Tower and magazines, and to proclaim the king, with other treasons; all which they denied, and several witnesses were heard, to prove the charge against them; and then the court adjourned.

July 1654.

1. Letters that colonel Morgan upon sight of the Highlanders went out with a party to engage them, but they fled:

Scots. That captain Goodfellow with a party took ten Scotch prisoners and sixty horse; the captain was killed; much provision taken from them:

That forty English with their swords naked did swim over to an island that stood out against them, and took it, and many provisions, plate, money, and other goods in it:

3. That the earl of Argyle joined with the English.

I was in great danger at sea in my return home.

Letters of general Monk's taking of Fosse and Lough-Gery in the Highlands:

That colonel Bryan, with the forces which he brought from Ireland, killed divers of the Highlanders, and among them three commanders of great note were slain.

4. The high court of justice sat and adjourned.

A conference with the French ambassador about a treaty of peace.

Portugal ambassador's brother. 5. The Portugal ambassador's brother and two other Portugueses were tried before commissioners of oyer and terminer in the king's bench. He pleaded, that he was not only the ambassador's brother, but had a commission to himself to be ambassador when his brother should be absent, and that by the law of nations he was privileged from his trial; and he demanded counsel.

The point of privilege of ambassadors by the common law, and by the civil law, and by the law of nations, was long debated by the court and the lord protector's counsel, and the result of the court was, that by all those laws the proceedings in this case were justified; and that no counsel could be allowed to the ambassador's brother in matter of fact, but if in the proceedings of his trial he should desire counsel as to matter in law, it should be allowed him.

After much persuasion he and the rest pleaded, *Not guilty*,

and to be tried by God and the country; and a jury was called of half English and half foreigners, adjourned till the next day for their trial.

An ordinance published empowering the commissioners of the customs, and others, by persons under them, to suppress drunkenness, profane cursing and swearing.

6. An ordinance published prohibiting horseraces for six months, because of the late plots.

The Portugal ambassador's brother was again brought before the commissioners of oyer and terminer, in the upper bench, and tried by a jury of six denizens and six aliens; he pleaded his ignorance in the laws of England, and desired to have counsel assigned him; but the court told him that they were of counsel equal to him as to the commonwealth; and upon hearing of the witnesses, the jury found the ambassador's brother, and four more, guilty of murder and felony. The lord chief justice Rolles gave sentence against 593
them to be hanged, and a day appointed for execution; but by the desire of the prisoners it was respited two days.

The lord commissioner Lisle, president of the high court of justice, made a long speech to Fox, Gerrard, and Vowel, to convince them of the wickedness of their design; and then he sentence of the court was read against them severally.

That upon mature consideration of the treasons and murders, plotted and contrived by them against his highness the lord protector and the commonwealth, and raising a bloody war in the same, the court did adjudge them to be hanged.

Mr. Gerrard moved that he might be beheaded, or shot to death like a soldier, and petitioned the lord protector to that purpose.

This day I gave account to the protector and his council of my embassy in Sweden, and spake to this effect: Whitelocke's embassy.

May it please your highness,

I attend by your command, to give an account of the discharge of that great trust and weighty burden which (through the assistance of God) I have undergone in my employment to Sweden, with the success of that negotiation; wherein I shall not waste much of your time, for which you have other great affairs; but, in as few words as I can, I shall with clearness and truth acquaint your highness and this honourable council with those matters which I apprehend most fit and worthy of your knowledge.

After the receipt of my commission and instructions from the parliament then sitting to go ambassador unto Sweden, I neglected no time, how unseasonable soever, to transport myself unto that country. Upon the 5th of November I embarked at the Hope, and after ten days' voyage, through many storms, enemies, and dangers, it pleased God on the 15th of November to bring me in safety, with all my company, into the port of Gottenburgh.

The next day I despatched two of my servants to the court, with letters to prince Adolphe the grand master, and to the ricks chancellor of Sweden, to advertise them of my arrival, and to desire their advice whither I was to direct my journey to attend the queen.

In the city I received many civilities and testimonies of respect to the commonwealth, from the magistrates, officers, and others there; and a small contest I had with a Dutchman, a vice-admiral of her majesty's, about our war with his countrymen, and about some prizes brought in by me; wherein I took the liberty to justify the proceedings of this state, and, after submission, I ordered the release of a small Dutch prize taken by one of my ships.

Having refreshed myself and company some days in this place, I began my land-journey the last day of November; the military officers accompanied me out of town, the citizens and garrison soldiers stood to their arms, and with many volleys of great and small shot, the bullets making somewhat too near compliments, they gave me an honourable farewell.

In our journey we met with extreme hardships, both in the weather and want of necessary accommodations. In the greater towns where we quartered, the magistrates and officers shewed great respect to our commonwealth; only in one town a little affront was given in words by a prætor, who acknowledged his fault, and it appeared to proceed more from drink than judgment.

In all places the officers took great care to furnish me with what the country would afford which I wanted; the ways were repaired, wagons and horses brought in, and all done that could be by the special command of her majesty.

After twenty-one days in our land-journey, near four hundred miles from Gottenburgh up into the country in that climate, in December, through all our difficulties, it pleased God to bring us safe to Upsal upon the 20th of December.

About half a league from the town, the master of the ceremonies, and after him two of his ricks senators, with the queen's coaches, the Spanish residents, and divers of the great officers, met me, and with more than ordinary ceremonies conducted me to an house in the town, by the queen's order taken and furnished for me.

Divers compliments passed from the queen herself, and many in that court, expressing much respect to this commonwealth in the person of your servant.

By favour I obtained my first audience from the queen on the twenty-third of December, the particular passages whereof, as of most other matters which I have to mention, were in my letters imparted, as they fell out, to Mr. secretary Thurloe, and by him, I presume, unto your highness and the council.

Two or three days after this, I procured a private audience from her majesty, when I showed her my commission, and appointed to wait on her again with my proposals.

The Spanish resident, Don Piementel, expressed very high respect to this commonwealth, and particular affection to me, who knowing his great favour with the queen, I contracted an intimacy of friendship with him; I had the like with Mr. Woolfeldt, the king of Denmark's brother-in-law, and grew into good acquaintance with grave Wrangel, grave Tot the queen's favourite, grave Leonhagh, baron Bundt, baron Vanderlin, and several other senators and great men; especially I got into the favour and affection of the old chancellor. Mr. Lagerfeldt, secretary Canterstein, Mr. Ravins, and several others, were useful to me; and of my countrymen, I had the assistance of major-general Fleetwood, a faithful servant to England; and my noble friend colonel Hambleton, the lord Douglas, Mr. Bloome, and some others, gave me their assistance. Having thus given your highness some account of persons, I come now to the matter of my negotiation, wherein these persons were exceedingly useful. By Piementel's advice I made my applications to the queen herself, and, as much as I could, put the business upon her personal determination, which she liked, and proved very advantageous. She herself objected the unsettledness of our commonwealth, the present peace of her kingdoms, and we involved in a war; which arose upon my presenting to her all my articles at once, except three reserved. The articles proposed a league offensive and defensive, which enforced the objection: to which I gave the best answers I could; that her kingdom could not long continue in peace, and would have as much need of our assistance as we of theirs; and our war and success against Holland was an argument that our friendship merited 594
acceptance; that I hoped our commonwealth was now settled, yet that leagues were between nations, not governments.

This debate was very large with her majesty, who seemed to be satisfied with my answers, and appointed her chancellor to treat with me; who much more insisted on the unsettledness of our commonwealth, and the same objections that the queen had made; to

whom I gave the same answers; and they proved much the more satisfactory after they received the news of your highness's accession to the government, which made the wheels of this treaty move the more freely.

I had often and long disputes with the chancellor upon the article touching English rebels not to be harboured in Sweden; most of all touching contraband goods, and about repairing the losses of the Swedes taken prizes in our war with the Dutch; besides many other objections, whereof I have formerly given a particular account.

The chancellor being sick, his son grave Erick was commissionated to treat with me in his father's stead, and was much more averse to my business, and more earnest upon the objections than the old man; who being recovered, I found him the more moderate, yet we could not agree one way or other; and when I pressed for a conclusion, both the queen and her chancellor did ingenuously acknowledge, that they desired first to see whether the peace would be made between us and Holland before they came to a determination upon the treaty with me. I could not but apprehend reason therein, and as soon as the news came that the peace between your highness and the Dutch was concluded, I urged a conclusion of my treaty, and what the chancellor and I differed in, the queen herself was pleased to reconcile; and so we came to the full agreement contained in this instrument, signed and sealed by the queen's commissioners, which I humbly present unto your highness and this honourable board; and which I hope, through the goodness of God, may be of advantage to this commonwealth and to the protestant interest in Christendom.

I cannot but acknowledge the great goodness of God to me in this transaction, in my preservation from attempts against my person, raising me up such eminent friends, giving me so much favour in the eyes of strangers, and giving this good success unto my business, notwithstanding the designs and labours of the enemies of this commonwealth to the contrary.

The treaty with me being thus finished, the business came on of the queen's resignation of the crown, wherein she was pleased to express a wonderful confidence in a stranger, by imparting it to me many weeks before, whereof I took the boldness to certify your highness. The prince who was to succeed the queen was sent for to Upsal, and their ricksdagh, or parliament, was to meet him there in the beginning of May.

Your highness will believe that your servant had longing desires of returning, and had advice that your frigates were in the

Elve staying for him; yet judging it might conduce to your service to salute the prince, and have his approbation of this treaty, I stayed till his entry, which was in great state, into Upsal, where I saluted him from your highness, and acquainted him with my negotiation, which he well approved. And to testify his great respect to your highness and this commonwealth, he came in person to visit me at my house, and used such extraordinary ceremonies and favours towards me, as never the like had been done by him to any ambassador before. We had several conferences at large, and much discourse of your highness and this commonwealth, the particulars whereof I shall acquaint you with at your better leisure.

The time of the queen's resignation being near, I thought it not convenient for me to be upon the place at the time of it, but removed, with my company, to Stockholm, where I was when the resignation was with great solemnity executed.

The magistrates of this city expressed good respect to your highness and this commonwealth by their civilities to your servant. From hence I embarked the first of June in a good ship of the queen's, to cross the Baltic sea; she sent one of her vice-admirals to attend me, and after a hazardous voyage and bad weather, the Lord gave us a safe arrival at Lubeck on the 7th of June. There some of the magistrates with their sindick bid me welcome to their city, and expressed good affection to your highness, and made some requests by me to this state. From thence I travelled over Holstein and Lunenburgh, and came on the 10th of June to Hamburgh, where I was also saluted by the sindick and some of the magistrates; and most of them afterwards came to me, and indeed they testified an extraordinary respect and service to your highness and this commonwealth.

My countrymen, the company of merchant adventurers there, showed much kindness to me, and lodged me in their house, and principally Mr. Bradshaw, your highness's resident there.

I departed from thence the 17th of June, and embarked in your highness's frigates near Gluckstadt. We were detained for some days in the Elve by cross winds, and in some danger, but more when we came into the open sea; and above all, the Lord was pleased to appear for us on the 28th of June, when our ship stuck upon the sands about twelve leagues off from the coast of Yarmouth; and when there was no help or means of men left for our escape, but we expected every moment to be devoured by the waves, then it pleased our God to show his power and free mercy by his own hand, to deliver us, and, after two hours' expectation of death, to reprieve us, and to set our ship on float again, and to bring us all in health and

safety unto your highness's presence, and to our dear country and relations.

The queen and the new king were pleased to honour me with their pictures set with diamonds; and in recompense of my horses, I received a present of copper from her majesty, I having refused to sell them, as a thing uncomely for my condition in the service of this commonwealth.

Thus, sir, I have given you a clear and full account of my transactions. As I must justify my own diligence and faithfulness therein, so I cannot but condemn my many weaknesses and failings, for which I can only say, they were not wilful; and make an humble demand to your highness and this honourable council, that I may obtain your pardon.

595 7. Letters that the Highlanders lying in ambuscade fell upon some of colonel Bryan's men that came from Ireland, and were careless, and that the Highlanders killed eighty of them and two lieutenants.

8. Mr. Bond was sent to the three condemned prisoners in the Tower, to advise them touching the state of their souls, but they were obstinate, except Mr. Fox, who was penitent.

The Portugal ambassador's brother was reprieved.

10. The Portugal ambassador's brother endeavoured an escape, but was prevented.

The English boy, who was in the murder with the Portugal ambassador's brother, was hanged at Tyburn; Mr. Vowel was hanged at the Mews'-gate; Mr. Fox was reprieved; Mr. Gerrard was beheaded at Tower-hill.

The Portugal ambassador's brother was conveyed from Newgate to Tower-hill, in a coach and six horses in mourning, with divers of his brother's retinue with him.

On the scaffold he spake something to those that understood him, in excuse of his offence, laying the blame of the quarrel and murder upon the English in that business. After a few private words and passages of popish devotion with his confessor, he gave him his beads and crucifix, laid his head on the block, and it was chopped off at two blows. The rest condemned for the murder were all reprieved.

The articles of peace were signed by the Portugal ambassador, who thereupon went out of town.

Letters that those of Zealand and Frizeland were discontented at an order made by the States of Holland, that the

prince of Orange, nor any descending from the late king of England, should be admiral of Holland, or have power over the militia;

But upon a letter to them from the lord protector they were pacified.

11. Letters that a party of forty English fell upon two hundred and twenty Highlanders, routed them, killed twelve of them, one captain and two cornets; wounded thirty, and took thirty prisoners, and thirty-two horses:

That captain Hilliard took of the Highlanders a major, two captains, and fifteen prisoners, and as many horses. Another met with a cornet and nine men, and took them all:

That general Monk built a fort at Lochaber.

12. Order that the sheriff making an undue return of any parliament election shall forfeit one hundred marks, and the returns to be examined by the council.

Letters from Sweden, that upon the thirtieth day of May the queen at Upsal made a solemn resignation of her crown and government, in this manner:

About nine o'clock in the morning, the queen, being attired in her royal robes and apparel of purple velvet, with her crown upon her head, and attended by her officers and servants, came into the room prepared for that occasion, where was a table with a rich carpet, and five great cushions laid upon it: most of the grandees and officers of the court and army were present.

Upon one of the cushions was laid the sword of state, upon another of them was laid the sceptre, upon another the ball, and upon the fourth cushion were laid the keys.

The queen being come into the room, after a little pause, made a short speech to the company, acquainting them with her resolution to resign the crown and government of this kingdom to her cousin the prince hereditary of Sweden, there standing by her, to whom she wished all happiness and good success in the management of the public affairs of this nation; that upon her earnest desire, the ricksdagh now sitting, after long debate, and much solicitation on her part, had at last, though unwillingly, given their assent to this her resolution; and that now she was come to put the same in execution before all those honourable witnesses there present.

Then she desired that some of them would take the crown

from off her head, but none of them would do it; she herself laid down the sceptre upon one of the cushions on the table, and the ball on another cushion; but seeing none of them stir to take the crown from off her head, she called to grave Tot and the baron Steinbergh, and expressly commanded them to do it; who, after some backwardness, being again commanded by her, they took the crown from off her majesty's head, and laid it down upon the fifth cushion on the table.

After that was done, some others by her came and took off the royal robes wherewith she was clothed, and laid them down upon the table. Then the queen (having thus resigned the crown, and divested herself of her royal apparel, crown, and other ensigns of royalty) making a curtsy to her cousin the prince, and to the rest of the company, she retired into her own chamber; not making any show outwardly of repentance or reluctancy for what she had done; but with the like behaviour and confidence as at other times betook herself to her own particular occasions.

For this act of the queen's resignation they had no precedent. For the solemnity of the king's coronation they had many, from which the coronation of this king was not much different; and was in short thus:

King of Sweden crowned.

After the queen was withdrawn to her private chamber, the ricks officers and senators humbly desired the prince that he would be pleased to walk to the cathedral church in Upsal, where the archbishop and other prelates were ready to attend his royal highness, and to perform the solemnities of his coronation. The whole company went thither in this order:

The officers and servants of the court went first in a very great number, together with many officers of the army and other gentlemen: after them came the nobility, gentlemen, barons, and earls, members of the ricksdagh; then followed the ricks senators, two and two in ranks; after them the five ricks officers, first the ricks scats master, or treasurer, who carried the keys; next him the ricks chancellor, who carried the globe; after him the ricks admiral, who bare the sceptre; then one in the place of the feldthere, or general, who carried the sword; and after him, the ricks drotsett, or chief justice, who carried the crown:

Next to him came the king himself in his ordinary habit,

with a huge troop following him, and the streets and windows full of crowds of people, with the guards and soldiers in their arms as they passed by. Being thus come to the cathedral church, at the door stood the archbishop with a horn of oil in his hand, accompanied with other bishops and clergymen; he received the prince at the church door, and conducted him to the high altar, where they had prayers, and there the 596
archbishop anointed the prince with oil; then they put upon him the royal robes, and put the crown upon his head, the sceptre in his right hand, and the ball in his left hand; and so he was invested into the royal dignity, and declared with all his titles, king of Swedes, Goths, and Vandals, &c.; drums, trumpets, and loud acclamations of the people were added to the proclaiming of their new king; all of them expressed their high joy that it was done: not many days since they earnestly laboured to hinder the doing of it, now they shout for joy because it is done; thus are the minds, this is the practice of the multitude, whom nothing pleaseth long, nothing more than novelty. The ceremonies being performed at the cathedral, the new king, with all his new subjects and servants, returned back from thence unto the castle in the same order as they came thither, and by the way he was saluted by the people with their loud shouts of *God save the king!* Thus coming to his court, the abdicated queen, as he entered, looks out of the window, and with a cheerful countenance and voice, heard by the company, wisheth her cousin joy of his crown and government.

He retires for a while to his private chamber; then is called forth to a sumptuous feast, where most of the senators and nobility did attend upon him, and rejoice with him.

13. An order of the commissioners for settling the differences, according to the treaty, with the Dutch, between any of the subjects of those commonwealths.

14. Letters of ten days' constant march of the English army in the Highlands, burning the houses and corn as they marched; that they traced the enemy four days, but could not meet with them, nor with any intelligence of them, all the people removing before the army, and all their goods and cattle carried away:

That Middleton got away by water, and lost one hundred horse in his march, but would not engage with the English.

15. Letters of a Brest man of war taken:

Of a French banker brought in laden with fish, and of eight more of them got away:

Of two French prizes brought into Plymouth:

Of some tories still abroad in Ireland.

17. A list sent in and published of the names of those who were elected in the several shires, cities, and boroughs in England and Wales, to serve in the next parliament.

Among them I was returned one of the burgesses for Bedford, and one of the knights for Bucks, and burgess for Oxford city, and my son James was chosen one of the knights for Oxfordshire, so much was I in the favour and good opinion of those places and of my country at this time.

18. Letters of the army's march in the Highlands, where, in fourteen days, they saw neither man, woman, or child, and those they saw afterwards hardly to be called men or women, by reason of their misshapes.

The description of the strange bad country of Lochaber and Kintail, and the mountains of Badenoch, the difficult passages, and the almost continual fog and rain there:

Sweden. Of the queen of Sweden's private coming to Hamburgh.

18. Letters of the king of Sweden's proceedings in his government, and of his brother prince Adolphus's coming to Hamburgh in his travels toward France.

19. Letters that the English army could by no means engage the forces of the enemy in the Highlands in Scotland, but after a most tedious and difficult march, and being in great want of provisions, were returning back.

20. A ship laden, of one hundred ton, near London-bridge, was set on fire by a pot of pitch heating upon the decks, and burnt with all her lading; and divers of her men, and some looking on her, were slain with pieces of her timber blown up by the gunpowder in her, and much harm done to St. Olave's church, and to houses near her.

21. Another ship, laden with oil and other goods, had her powder set on fire, and all the goods in her were burnt and sunk, divers men in her slain, and some wounded, and much damage done to the adjacent houses.

Letters of the Brest men freebooters again upon the western coast.

Scotland. 22. Letters of Middleton's forces being about Dunkeld in

Scotland, eight hundred horse, and twelve hundred foot, much discontented, complaining of the king, and that amongst them four horses' shoes were sold for 15*d.*

That the English army are still marching in pursuit of the enemy.

24. The French ambassador and the three ambassadors from the States of the United Provinces had audience of the lord protector.

Letters that Middleton intended to dismount most of his horse, and to make use of his lightfooted Highlanders to provoke the English to follow him in the bogs, and to prolong the war:

That writs were received in Scotland for election of members in that nation, to serve in the parliament of England: Elections in Scotland.

That a party of colonel Okey's men fell upon the earl of Athol's men, drove them up to their main body, killed three, and took four of them; upon which alarm the enemy fled, and the English being tired could not pursue them, nor gain intelligence where they were:

That the king of Scots, the princess of Orange, the queen of Sweden, and prince Adolphus, were to meet at the Spa in Germany.

25. Letters of the great meeting at the Spa with the queen of Sweden, and very many great persons and nobility, upon which some high design was expected.

26. Mr. Sympson was enlarged from his imprisonment, and had liberty to preach any where ten miles from London.

The lord protector sat very close with his council, and gave audience to several ambassadors.

27. Letters of some tories in Ireland breaking out again into a rebellion: that ten thousand were come into Connaught and Clare, to be tenants to particular persons, but refuse to become tenants to the commonwealth. Ireland.

28. Letters that divers of Middleton's forces left him; that the English vanguard fell upon their rear, and did much execution upon them, till night prevented further pursuit of them:

That general Blake went out of the Downs with a gallant fleet as admiral, and captain Lawson his vice-admiral.

29. The Dutch sent 70,000*l.* into London, for satisfaction of the losses sustained by the English at the Sound in Denmark, according to the late articles of peace. A. C. came Dutch peace.

post from Scotland, with letters from general Monk and from colonel Morgan, of the routing of the forces under general Middleton by colonel Morgan, divers killed and taken, and
597 his whole body broken and dispersed; several Scots officers of quality taken prisoners.

Middleton routed.

31. Letters from general Monk to the lord protector, of the particulars of the routing of Middleton's army, to this effect:

The enemy having marched off in a very scattered posture, upon our pursuit of them in Argyle, and they bending northwards, I held it much necessary, in regard that both horse and foot with me were much beaten out with continual marches, to attend their motion slowly, having sent to colonel Morgan with his fresh party to pursue them as he had intelligence; who marching out of Badenoch to Lougthgary, where he intended to quarter that night, he fell upon Middleton's body of horse, who had also appointed that same place for their quarter: after a little resistance the enemy ran, and the pass being narrow and boggy, quitted their horses and dispersed themselves: what execution is done I have not yet notice, but by divers prisoners, who endeavoured to escape this way, I am assured that their whole body of horse is routed totally, so that they will not be able to get any considerable numbers together; among those prisoners taken, there was brought in by cornet Baker, lieutenant-colonel Hay, who lately escaped out of Edinburgh-castle, and captain Graham.

I also yesterday sent out major Bridge with a party of horse and dragoons, who fell upon some of their scattered horse and foot, under Macgrigger, who was left to bring the stragglers after the foot to Lochaber: these, after some resistance, ran away.

The major took some prisoners with divers of their tired horses with baggage, and amongst the rest the earl of Athol's portmantle, wherein were these enclosed papers, which I thought it my duty to send to your highness, as also the enclosed directed into Ireland, which was lately intercepted.

I remain, your highness's most humble servant,

Camp, near Weems-castle, July 21, 1654. GEORGE MONK.

The letter from colonel Morgan was this:

Letters from Morgan.

Sir, upon the nineteenth instant, about six or seven at night, upon our march toward Rannough, our scouts discovered a party of the enemy, which afterwards proved to be Middleton with all his force, to the number of eight hundred.

They were on the north side of Loughgary, major Knight and

myself being at the head of our forlorn, perceiving them to face about, we made to them with all speed, and sent back orders for our horse to march up after us: we presently put them to the rout, pursued them about six miles, and forced them to disperse three ways, so that major Lisle, captain Ducket, and myself followed them one way, major Knight, captain Pockley, captain Day, captain Merriman another, and captain Legg and captain Ginuel the other: we killed and took many of the rogues, and near three hundred horses taken; Middleton was dismounted, and very much wounded, as some of the prisoners affirm, his charging horse was taken by one of my servants, with gallant furniture and a rich case of pistols; one of captain Babington's troop took his sumpter, wherein was rich apparel, his commissions and instructions, with divers other letters to him.

One of colonel Rich's troop took Kinmore's charging horse; Middleton and Kinmore, with divers others, were fain to make use of their heels over the bogs, and, if the night and the bogs had not prevented us, I believe we had left very few of them undestroyed.

But those that escaped are totally disenabled. They had twelve hundred foot within five miles of them, which, I hear, are much dispersed and gone towards their homes; their intentions (as the prisoners inform me) were to march to Caithness, where they expected the arrival of some ships with men, arms, and ammunition. In all this action the Lord was pleased to appear for us, for we had not above four men wounded, none killed, and two horses shot.

I am your affectionate servant,

From the camp near Badinas, July 22, 1654. THOMAS MORGAN.

One of Gerrard's conspiracy, that had escaped through a house of office, was retaken in Norwich, where he practised physic.

Letters that the Scots king arrived at Liege, and went from thence to the Spa.

August 1654.

1. The protector and his council passed two ordinances, one touching the adventurers for lands in Ireland, the other for regulatiug the jurisdiction of the chancery.

The Dutch ambassadors had audience of the protector, and informed him, that in order to satisfy the losses sustained in Denmark, their superiors had sent over some treasure in plate, bullion, dollars, and other coin, which was ordered to be secured and coined in the Tower. Dutch ambassadors.

They also congratulated his highness for the victory over the forces under Middleton.

The commissioners sent to Denmark brought back the English ships detained there, and report the plague to be hot in those parts.

The province of Frizeland declared for the prince of Orange.

Scotland. Middleton, after his defeat in the Highlands, went south, and Monk after him; the Scots prepared for new levies; Monk designed to drive Middleton's party towards colonel Morgan; he and Middleton having both ordered to quarter the same night at Loughgary, the enemy looking only back towards Monk, thought not of Morgan, who met them and engaged them; but they soon fled, and lost many of their horses and some men.

Middleton one of the first that ran away, and Monroe; their foot are thereupon dispersed.

Captain Beke and major Bridge took divers of them, and in some portmantles several letters and papers from the king to the earl of Athol.

2. Other letters of the former defeat of Middleton's forces, and of many of his men taken by the parliament's forces and by the country.

3. Orders of the commissioners touching the sale of bishops' lands and the lands of deans and chapters.

Commissioners. 4. The protector and his council appointed commissioners for the exchequer, the three lords commissioners, Whitelocke, Lisle, and Widdrington, chief justices Rolls and St. John, colonel Sydenham, colonel Montague, and Mr. Maskam.

Middleton. Of Middleton's horse three hundred were taken and one hundred were bogged: he had two horses shot under him,
598 his sumpter horse taken, and therein his commissions and instructions from the king.

5. The province of Gelderland and four other provinces chose the prince of Orange to be their general and admiral.

Portugal ambassador. The Portugal ambassador at Gravesend in his voyage homewards was arrested by some merchants of London, to whom he owed great sums of money, which they had lent him here, and they stopped his journey.

Five English frigates met with the fleet of French laden

with salt for the king's storehouses, and sunk the two convoys, and carried away the other ships with their lading into Plymouth.

7. Middleton got together as many as he could of his scattered horses, and had but one hundred, whereas, before, he had eight hundred. Glencairn gathered others; Morgan went out to prevent their joining; many came in to colonel Fitches, and submitted to the parliament; divers of them were rifled in the country.

An ordinance of indemnity passed for the English protestants in Ireland.

8. More of Middleton's scattered forces taken up by the English.

9. A Swedish ship and an Hamburgher taken for prize, because they were bound for France.

The queen of Sweden arrived at Antwerp in man's apparel, and the next day went abroad dressed in woman's apparel.

10. The queen of Sweden highly extolled in letters for her parts and learning.

11. Orders of the committee of adventurers in Ireland.

The protector and his council passed an additional ordinance for relief of creditors and poor prisoners.

12. General Monk marched after Glencairn, who desired to capitulate: three French prizes brought in.

14. Middleton's brigade was lessened from fourteen hundred to one hundred: two hundred prisoners shipped for Barbadoes.

General Monk fired the houses in Glencameron's bounds, they being in arms against the English: they murdered sixty English soldiers in cold blood, whom they surprised. Monk.

Violent storms in the Highlands drove down the hills five hundred cows and goats and sheep into the glen, where general Monk quartered, which his soldiers made use of.

In a march of three days the English saw only one Scotchman and two women.

In their march to Brawling, for eight miles the way was so boggy that one hundred baggage horses were left behind, and many others were bogged and tired. The people said, that never any army marched there before.

The Scots fired the houses of their neighbours as they marched, and besieged the marquis of Argyle, till upon the Scots.

approach of general Monk they fled, and left behind them many horses and portmantles; and some of their soldiers hid themselves under the rocks, but were taken. The English could not pursue them by reason of the boggy hills; but Middleton's forces dispersing were reduced from four thousand to two thousand men.

Recognition. 15. A recognition from Ely presented to the protector, wherein they desired, that men fearing God might be put into the commission of the peace, and supernumerary alehouses suppressed; profaneness, sabbath-breaking, swearing and drunkenness prohibited, and virtue and piety advanced: to which he gave a pleasing answer.

16. Returns of parliament men examined by the council.

An ordinance passed for reforming abuses upon the river of Thames;

Another passed authorizing commissions to appoint magistrates and councils for the boroughs in Scotland.

Another passed for moneys for general Blake.

Members for Ireland returned to serve in the parliament of England.

The Hollanders complained of wrongs done them by the French pirates.

17. General Monk continued his pursuit of the Highlanders, and gave orders to colonel Morgan to follow them another way, yet to be near him.

18. Middleton's and Glencairn's forces upon the approach of general Monk fled further into the hills.

Prince of Orange. 19. Great working in Holland to receive the young prince of Orange for their general and admiral.

21. The English army in the Highlands burnt the houses and destroyed the corn of those who were in arms against them, or refused to pay their cesses.

Elections. The election of members in Scotland to serve in the parliament of England went on slowly, yet some were chosen and returned.

One Humphrey Marston, who had killed two of the sergeant's men who came to apprehend him by a warrant of the council, and fled upon it beyond sea, returned into England and betook himself to coining; for which he was taken and hanged before the doors where he killed the sergeant's men.

Divers coiners of money, clippers and sellers, were apprehended.

22. A committee of the council sat for examining the elections of several members for the parliament.

An ordinance passed for the regulating the jurisdiction of the chancery;

Another passed appointing commissioners to survey the forests, &c.

Several ordinances passed for discharge of sequestrations and for payment of moneys.

The French ambassador, monsieur Bourdeaux, had audience of the protector. French ambassador.

23. An ordinance passed for naturalizing William Hanmer, son of sir Thomas Hanmer. Ordinances.

Another passed for stating the arrears of general Monk, and to have them out of the rebels' estates in Ireland.

Another passed for repealing the powers of the commissioners for managing the affairs of Ireland;

Another passed for appointing salaries for the council in Ireland.

General Monk got a considerable pass from Middleton.

The moss-troopers fell upon some good people when they were at church and receiving the sacrament, and carried away their horses, &c.

24. Disputes in Holland about the young prince of Orange's commands.

Many Scots submitted to mercy.

The members chosen in Ireland to serve in the parliament of England returned to the council. Irish members.

25. A mutiny of the keelmen at Newcastle for increase of wages.

Twenty-nine moss-troopers sent to Barbadoes.

Letters that Middleton and several other persons of note had shipped themselves to go beyond the sea, and divers others were taken prisoners.

26. Some prisoners on board a ship mutinied, and put the officers and seamen under the deck; but another ship coming up to them, and giving them a broadside, they submitted. 599

The Brest men of war troubled the Bristol merchants; three French bankers brought thither for prizes.

28. Letters from colonel Morgan to the protector, that he

had gleaned up most of Middleton's men, and that his foot were gone home. Glencairn and Montrose sent to general Monk that they might be received upon terms of life.

A house of the enemy taken and burnt by colonel Twisleton. An ensign and six soldiers surprised by the Highlanders, and two more killed by them after quarter given, and the commander told them whilst they were murdering of them, that they had no Barbadoes to send them to, but would send them to heaven or hell.

Scotland. Five sheriffdoms in Scotland returned, that not one fit to be a parliament man was to be found within their liberty.

Dutch. 29. The States of Holland and Zealand sent a letter to the protector, directed, *To the most serene and high lord, Oliver, lord protector of the commonwealth of England, Scotland, and Ireland.*

It was in answer to a letter they received from him, and they made great professions of their sincerity in the inviolable observation of the late treaty of peace between the two commonwealths.

30. Several ordinances passed concerning private businesses.

Ministers. An ordinance passed for ejecting scandalous, ignorant, and insufficient ministers, by commissioners appointed in each county.

Another passed, for the calling to account the commissioners upon the act for propagating the gospel in Wales.

Another passed, for the sale of four forests.

An order for relief of well-affected persons in Cheshire and Lancashire, tenants to the popish and delinquent landlords.

31. The ordinance published for regulating the jurisdiction of the chancery, and the tables of the officers' fees printed.

September 1654.

2. Athol with his two Scots regiments submitted to general Monk, and Glencairn was upon treaty of submission: there were not one hundred Scots left together in a body.

I returned from Bristol, where I had been highly feasted and entertained, being their recorder, and was met a mile out of town by five hundred horse, who conducted me into the city, where the mayor and aldermen, and many others, performed much ceremony to me.

Being now in London, and hearing of the queen of Sweden's intention to come into England, I made it known to the protector, but he would not give her any encouragement: he put it all upon the ill example she would give here by her course of life, and would not be satisfied by me to the contrary.

3. The Lord's day, yet the day of the parliament's meeting, the members met in the afternoon at sermon in the abbey church at Westminster: after sermon they attended the protector in the painted chamber, who made a speech to them of the cause of their summons; after which they went to the house, and adjourned to the next morning. Parliament.

4. The protector rode in state from Whitehall to the abbey church in Westminster: some hundreds of gentlemen and officers went before bare, with the lifeguard, and next before the coach his pages and lackeys, richly clothed: on the one side of his coach went Strickland, one of his council and captain of his guard, with the master of ceremonies, both on foot: on the other side went Howard, captain of the lifeguard. In the coach with him was his son Henry and Lambert, both sat bare. Cavalcade.

After him came Claypole, master of the horse, with a gallant led horse richly trapped: next came the commissioners of the great seal and of the treasury, and divers of the council in coaches, and the ordinary guards.

He alighting at the abbey door, the officers of the army and the gentlemen went first; next them four maces; then the commissioners of the seal: I carried the purse after Lambert carrying the sword bare; the rest followed; and his highness was seated over against the pulpit, the members of the parliament on both sides.

After the sermon, preached by Mr. Thomas Goodwin, his highness went in the same equipage to the painted chamber, where he was seated in a chair of state set upon steps, and the members upon benches round about sat all bare; all being silent, his highness put off his hat, and made a large and subtle speech to them:

He told them the danger of the levelling principles, and of the fifth-monarchy-opinions, and of the form of godliness, and the great judgment that had been upon this nation of ten years' civil war. Protector's speech.

That the two pretensions, of the liberty of the subject and of

conscience, (two as glorious things, and as much to be contended for, as any gift God hath given us,) were brought in to patronise their evils.

These abominations swelled to that height, that the axe was laid to the root of the ministry, as antichristian and Babylonish; and as the extremity was great before, that no man, though well approved, having a good testimony, might preach if not ordained; so now, on the other hand, they will have ordination put a nullity upon the calling.

I conceive, in my very soul, that many of the fifth-monarchy-opinion have good meanings, and I hope this parliament will (as Jude says, reckoning up the abominable apostasies of the last times) *pluck some out of the fire, and save others with fear*, making those of peaceable spirits the subject of their encouragement, and saving others by that discipline that God hath ordained to reform miscarriages.

The danger of that spirit being not in the nation, but in its proceeding to a civil transgression, when men that come into such a practice, as to tell us that liberty and property are not the badges of that kingdom, and that instead of regulating laws, laws must be subverted, and perhaps the Judaical law imposed, or some fancy instead of it, (for that was good and honourable in the institution, though now by some misapplied,) especially when every stone is turned to bring in confusion: this will be a consideration worthy of the magistrate.

Whilst these things were in the midst of us, and the nation rent and torn from one end to the other, family against family, parent against child, and nothing in the hearts and minds of men but *Overturn, overturn*, overturn a scripture very much abused and challenged by all men of discontented spirits.

The common enemy in the mean time sleeps not, swarms of Jesuits come over, and have their consistories abroad to rule all the affairs of England and the dependencies thereof: in the mean time
600 visible endeavours are used to hinder the work in Ireland, to obstruct the work in Scotland, correspondences and intelligences are held to encourage the war in those places.

And withal, we were deeply engaged in a war with Portugal, whereby our trade ceased; and not only so, but a war with Holland, which consumed our treasure as much as the assessment came to. At the same time we fell into a war with France, or rather we were in it; and all this fomented by the divisions amongst us:

Which begat a confidence we could not hold out long; and the calculation had not been ill, if the Lord had not been gracious to us.

Besides, strangers increased in the manufacture, the great staple commodity of this nation.

In such an heap of confusion was this poor nation; and that it might not sink into a confusion from these premises, a remedy must be applied. A remedy hath been applied, this government.

A thing that is seen and read of all, and which (let men say what they will, I can speak with comfort before a greater than you all, as to my intention, and let men judge out of the thing itself) is calculated for the interest of the people, for their interest alone, and for their good, without respect had to any other interest.

I may with humbleness towards God, and modestly before you, say something in the behalf of it.

It hath endeavoured to reform the laws, and for that end hath joined persons (without reflection upon any) of as great integrity and ability as any other, to consider how the laws might be made plain, short, and easy; which may in due time be tendered.

It hath taken care to put into seats of justice men of the most known integrity and ability.

The chancery hath been reformed, and, I hope, to the just satisfaction of all good men.

It hath put a stop to that heady way, for every man that will to make himself a preacher, having endeavoured to settle a way for approbation of men of piety and fitness for the work, and the business committed to persons both of the presbyterian and independent judgment, men of as known ability and integrity, as, I suppose, any the nation hath; and who, I believe, have laboured to approve themselves to God and their own consciences, in approving men to that great function.

It hath taken care to expunge men unfit for that work, who have been the common scorn and reproach to that administration.

One thing more: it hath been instrumental to call a free parliament; blessed be God, we see here this day a free parliament; and that it may continue so, I hope, is in the heart of every good man of England: for my own part, as I desired it above my life, so to keep it free I shall value it above my life.

A peace is made with Sweden (wherein an honourable person was instrumental); it being of much importance to have a good understanding with our protestant neighbours.

A peace is also made with the Danes, and a peace there that is honourable, and to the satisfaction of the merchants.

The Sound is open to us, from whence, as from a fountain, our naval provisions are supplied.

A peace is made with the Dutch, which is so well known in the

consequences of it, and the great advantages of a good understanding with protestant states.

I beg that it may be in your hearts to be zealous of the protestant interest abroad, which if ever it be like to come under a condition of suffering, it is now, many being banished and driven to seek refuge among strangers.

A peace is made with Portugal, (though it hung long,) of great concernment to trade; and the people that trade thither have freedom to enjoy their consciences, without being subjected to the bloody inquisition.

A treaty with France likewise is now depending.

It may be necessary, in the next place, for you to hear a little of the sea affairs, and to take notice of the great expense of the forces and fleet, and yet 30,000*l.* is now abated of the next three months' assessment.

These things, which I have before mentioned, are but entrances and doors of hope; you are brought to the edge of Canaan, (into which many that have gone before could not enter,) but if the blessing and presence of God go along with you in management of your affairs, I make no question but he will enable you to lay the topstone of this work.

But this is a maxim not to be despised, though peace be made, yet it is interest that keeps peace; and further than that, peace is not to be trusted.

The great end of calling this parliament is, that the work of God may go on, that the ship of this commonwealth may be brought into a safe harbour.

I shall put you in mind that you have a great work upon you, Ireland to look to, that the beginning of that government may be settled in honour.

That you have before you the considerations of those foreign states with whom peace is not made, who, if they see we manage not our affairs with prudence, as becomes men, will retain hopes that we may sink under the disadvantages thereof, and break into confusion.

I shall conclude with my persuasion to you, to have a sweet, gracious, and holy understanding one of another, and put you in mind of the counsel you heard this day in order thereunto.

And I desire you to believe that I speak not to you as one that would be a lord over you, but as one that is resolved to be a fellow-servant with you to the interest of this great affair.

Then he wished them to repair to their house, and exercise their own liberty in the choice of their speaker.

After he had done, the members went to their house, and chose the old speaker, Mr. Lenthal, master of the rolls, to be their speaker, and Mr. Scobel to be their clerk, and Mr. Birkshead to be the sergeant-at-arms to attend them: Speaker chosen.

Then they appointed a day of humiliation, 13th of September, to be kept by the parliament, city, and parts adjacent, and the 4th of October to be kept in all other parts of England, Scotland, and Wales, and the 13th of November in Ireland: and so they adjourned till the next day.

5. The parliament sat, and called over their members; the house appointed a committee of privileges, and ordered, that no petition concerning any election should be received after three weeks.

6. An ordinance published for ejecting scandalous, ignorant, and insufficient ministers and schoolmasters; and commissioners appointed in the respective counties for that purpose.

Some considerations were had in the house touching the privilege of the parliament in their freedem of debate. Then the lord protector's speech to them was taken into consideration; and amongst the particulars thereof, the foreign negotiations were mentioned, and particularly that of Swedland.

Which caused me to make the following relation:

MR. SPEAKER, 601

I held it my duty, though the present occasion had not been offered, to give a clear account to this honourable house of that negotiation wherein I had the honour to serve the commonwealth lately in Swedland, with the general transactions and issue thereof, and the great respects testified to this commonwealth in those places, and by those princes and states beyond the seas, where I had occasion to be during this my employment, that you may judge of the success and advantages thereof. Negotiation with Sweden.

I shall not mention the great difficulties and opposition which I met with from some in that court, and from the Danish and Dutch public ministers, and party there, whose high interest it was to hinder your alliance with that crown.

Neither shall I particularly insist upon and acquaint you with the great dangers, both by sea and land, through which it pleased God to bring me, and to preserve me, lest I should seem to magnify that which was but my duty, to undergo any hazards or perils for your service.

Only, sir, you will give me leave not to forget the goodness of

God to me and my company, in our great deliverances which the Lord was pleased to vouchsafe to us, and which I hold myself obliged to remember with all thankfulness to his immediate hand of goodness to us.

Sir, your servants had extraordinary respect and civility manifested to them both by the officers and people of that country, in their long journey, and upon their safe arrival at the court at Upsal, by all sorts of people of inferior rank, and of the greatest ones, and by the greatest of them, the prince heretier, and by the queen herself, who sought to make appear her affection and regard to this nation by her favours to your servant, which did much exceed those which she usually allows to others of the like condition.

In our ceremonies, wherein that nation is very punctual, I confess I was somewhat refractory to their expectations, out of my zeal to keep up the honour of my nation; and even those things have such a signification in such affairs; but they were well passed over, and then we fell to our business, wherein I found those with whom I discoursed and treated, to be full of experience, abilities, and wisdom, and some of them full of subtlety, and too much inclined to use delays for their particular advantage; which you will pardon those to take the more notice of who were at so great a distance from their country and relations.

I thought it behoved me, for the service of my country, and the better performance of the trust at that time reposed in me, to acquaint myself by the best means I could with the nature of the people, their government, the quality of their governors, their religion, strength, and trade, and other matters relating to them.

This I did not only by studying of books, but of men also in the conversation and treaties which I had with them, and wherein I endeavoured to gain information of these things from them, added to my own observations on the place.

I found the people hardy and stout, and the more inured to it by the sharpness of their climate, which renders them the more able for military service.

They are obedient to their rulers, but amongst their equals too much addicted to quarrelling and drinking; that ferments the other.

They are yet very courteous to strangers in their travelling and sojourning, not making a prey of them, nor deceiving them, nor deriding them in their ignorance of the country or language, but affording them all accommodations for their money, which they expect.

Their governors are wise, expert, and politic, keeping their distance and the rules of justice; but they will hardly pardon any

neglect; the omission of a ceremony, or not returning a visit, is enough with some of them to break off a treaty of the greatest consequence.

Though they practise much delay when they judge their interest to require it, yet they observe honourably their capitulations; and though both rulers and people regard their particular interest in the first place, yet it is not with the excluding of justice and honesty.

Their government is by municipal laws and customs, and by acts of their supreme council, which hath the legislative power, and is the same in effect, if not the original, of our parliament: they have inferior and ordinary courts of justice, not unlike to ours in many particulars. The king hath a great power, and the senators under him; and by them the affairs of the state are managed.

Though their government have great affinity with ours, yet the people do not enjoy the like rights and liberties, as, blessed be God, we do in England; they are in more subjection to the will of their lords, and their lords to the will of their superiors, though they have more power over their tenants and nearer neighbours than the English have.

Their laws are clear and few, nor are they covetous to multiply them, which they hold an error in government, and cause of contention; nor do they allow debates in council of any other matters than what are proposed to them from the king.

The paucity of lawsuits amongst them is, because of the distribution of estates by a rule of law to all children or heirs, upon the death of every ancestor; so that they have seldom a question upon any will or conveyance.

And by reason of the smallness of their trade, their contracts are few, and consequently their lawsuits; nor will they afford maintenance for a profession of lawyers, or large salaries for officers: in general, their government is wise, just, and peaceable.

Their religion is punctually Lutheran, both in doctrine and discipline, and they are so severe in it, that they will hardly admit a papist or Calvinist to live among them, except in some few places, where they permit Calvinists to reside for trade's sake.

They have a liturgy much to the same effect in words and ceremonies with that which was in the English church, nor will they part with any of the responsals, ceremonies, and rites extracted out of the mass-book, or with the images in their churches, though so little different from those used in the church of Rome.

Their bishops and superintendents, who have the same power, 602
have the like jurisdiction in ecclesiastical, but not in temporal mat-

ters, as the English prelates had; so have their inferior (as they also call them) spiritual courts and judicatories.

They allow but slender maintenance to their clergy: their metropolitan archbishop of Upsal hath not above two thousand rix dollars, which is not five hundred pounds of yearly revenue: and one hundred rix dollars per annum is an extraordinary benefice.

Their dioceses and parishes are very large, and sermons are a rarity in them; but the liturgy must not be omitted every Sunday and on their many holydays.

They have a good way upon every avoidance to supply their churches: the inhabitants of every parish where their minister died or is removed do meet and choose three deacons, whom they present to the bishop or superintendent, who chooseth one of the three, and ordains him a priest, and institutes him into the benefice that is void.

Their strength is considerable both at land and at sea; at land it consists chiefly in the bodies of their men, and in their arms and fortifications. Their men are strong, and the more inured to hardship by the coldness of their climate, and to war by their frequent expeditions abroad; and they want no courage nor obedience to their superiors.

Their arms are made at home, as good and useful as any country hath: they want not materials of copper, steel, and iron, both for their greater and smaller guns and swords; and have skilful workmen and store of powder.

Their fortifications are not many, except in frontier towns and havens; some whereof are strongly and regularly fortified, fully garrisoned, and provided with copper great guns upon their works.

They have a standing militia of fifty thousand men, twelve thousand horse, and thirty-eight thousand foot, and all these maintained at a very small charge to the crown, and with no burden to the country; whereof I shall be ready to give you a particular account when you shall command it.

These may be drawn together in ten days, and out of these they write forth soldiers upon any foreign design; which designation is wholly left to the respective landlords, and gives them no small awe and subjection from their tenants.

Their strength by sea surpasseth their neighbours'; they have many ships which carry eighty, and some one hundred copper guns, well and substantially built, but not after our excellent way of frigates, nor so nimble at tacking or fighting, or the chase, as our men of war.

They are not inferior in their strength at sea to any prince or state in these parts, except the English and our neighbours the Netherlands; the greatest defect and want in their naval force is as to the number of their ships and mariners.

For their trade, it is not great, but they take a course daily to improve it: they understand better than they did formerly the conveniences and advantages they have of timber for masts, and building of their ships, of iron to fit them, of copper for their guns, of the cheapness and plenty of pitch and tar necessary for them, and to be had in their own country, and sufficient cordage near them, with their good harbours on both sides the Baltic sea and at Gottenburgh.

They are sensible that the increase of trade increaseth their mariners and shipping, which increaseth their trade; and not only their merchants but their great men engage in a way of trade for the encouragement of it; and finding the sweetness and profit in it.

They already send ships, and plant in the West Indies, and have begun a trade with their native commodities to most parts where trade is to be had, and will in a short time become considerable for trade; and the more by the plenty of their copper, iron, deal, pitch, and tar, which now they export themselves, and know how necessary they are for other nations, and how profitable it is for them to be their own merchants.

I have thus shortly and weakly given you information of what I learned upon the place touching this nation of the Swedes and Goths, in relation to themselves.

Give me leave, sir, now to acquaint you with what I observed concerning them, as they may have relation to an alliance with this commonwealth, and to conclude with an account in general of my negotiation there, and with the respects I met with to this nation, both from them and others, whilst I was abroad.

I look upon them as a nation in a perfect distance and situation, to be the best friends and allies to you; they are neither so near to us as to cause jealousies from us, nor so far distant, but that they may give a timely assistance to us.

They profess the same protestant religion with us; in the fundamentals they agree with us, and in their averseness to popery and the hierarchy of Rome; and are the more likely to keep a firmer union with us.

There is great similitude between their manners, laws, language, and disposition of the people and the English, and the like gallantry of their gentry and soldiery, industry of their merchants and artificers, and laboriousness of their husbandmen. They are generally

much like the English, and the more likely to correspond and agree in amity with us.

They have store of men, arms, and shipping to join with us upon any occasion, and whereby both you and they may be strengthened against your enemies, and be the more considerable throughout the world.

They are just and faithful in their actions and undertakings as the English are, and honourable in their performances; nor are they engaged to any of our enemies, or such as you may have cause to suspect; but their differences and contentions have rather been with those who have contended with you, and therefore they are the more likely to observe their alliance with you.

They first sought to his highness and this commonwealth for an amity with us, and sent several persons of honour, as public ministers hither for that purpose; and their queen and the present king have testified great affection to this nation, and justly expected some return of it from you again.

These, and many other motives, grounded upon reason and wisdom of state, persuaded those who sat at the helm here, to judge it
603 fit to send from hence an ambassador to that crown to conclude an amity with them for the advantage of trade and mutual assistance of one another.

Herein their judgment did not fail them; it was very requisite to send an ambassador thither; but perhaps you may see a failure of their judgment in the choice of a person so unfit for so weighty an employment.

Yet they would not excuse him; you will believe that he had no ambition for such a service, and at such a time, but he obeyed the commands of those whom he served, undertook the employment, and can say without vanity, performed his duty therein to the utmost of his capacity with diligence and faithfulness, and God was pleased to own him in it.

I pass over the dangerous voyage by sea in November, through your then enemies, and the cold journey by land in December, and come to the court at Upsal, which was splendid and high, replenished not only with gallant outsides, but with persons of great abilities within, both of the civil and military condition.

Upon my first ignorance of their ceremonies, I fell into some dislike with several of their grandees, who thought me not enough submissive; others thought the better of me for insisting upon the right of my nation, vindicating their honour, and not sneaking to those with whom I had to do.

I followed my own reason, and what pleased God to direct me for

your service, and in order to the good of the protestant interest. In my treaty I applied myself upon all occasions to the queen herself, and never to the senate, wherewith her majesty was not distasted.

In the transactions of my affairs, I endeavoured to gain the best intelligence I could from home and from that court, and spared no cost to gain it; the one made me the more considerable there, the other was of great advantage to me in my negotiation.

But, sir, I was to encounter with great difficulties and opposition; the king of Denmark's ambassador, the Holland resident, with all their party and friends, (some of the most considerable in the court and army, and of great numbers,) opposed me, and endeavoured to affront me and my company, but by that were no gainers.

The French, Polish, and German public ministers, as much as they could covertly, sought to hinder me; but on the other side, I found the Spanish public minister there (who was a person of great ingenuity, and in much favour with the queen) a great friend and assistant to me.

Several great officers of the army, as general Wrangell, grave Horn, grave Wittenburge, grave Bannier, grave Leenhough, and divers others, were friends to me; and of the civil officers and other senators, the baron Bundt, Steinlorke, grave Tot, the rix droit, or chief justice, the grave Braghe, and chiefly the old chancellor Oxenstiern, was my chief friend and helper in my business.

Prince Adolphe, the present king's brother, was no ill-willer to it; the king that now is, a great friend to it, and manifested more particular respect to you in the person of your servant than he was ever known to do to any of the like quality, or to any state whatsoever.

And the queen herself was resolved to have the business done, so much had I gained of her favour, and satisfied her of your interest and respects to her.

But above all, some of my own countrymen were fierce against me, especially those of the Scots nation, both of the army and traders, whom I little considered, yet knew their humours, and that they would rail at me in the morning, and afterwards come to my table to dinner; and I caused my officers to welcome them accordingly.

To counterwork these, I was not without friends of my own nation, whereof divers were of the like condition; and eminent amongst them was general Douglas, a Scotch gentleman, who was very civil to me:

So was a true English gentleman, major-general sir George Fleetwood, a person of great interest and respect in those parts, and

with all that know him: he testified extraordinary respect and affection to you and to your servant, and was very courteous and helpful to me.

Those who opposed, or endeavoured to affront me in your business, I forbear to name; not for their sakes, but lest it might be prejudicial to your friends there, and to your own future occasions.

But, sir, we ought to look higher than to the greatest and wisest of men; it was the goodness and mercy of God who gave a blessing to your proceedings, and a desired success to this treaty; which we ought to acknowledge with humble thankfulness; and the weaker the instruments were, the more His power and goodness appear in it.

He was pleased to give success to that negotiation under my hands, and (after many delays and debates, and all the opposition that could be made) to give a conclusion to it. I made an alliance betwixt the commonwealth and that crown, ratified by the then queen and the present king under their hands and under their great seal of Sweden.

The instrument thereof I presented to his highness and his council at my return home, who caused a strict perusal and examination thereof to be made, and finding it punctually according to my instructions, did approve of it, and of my poor service in it; and his highness ratified the other part of the treaty, to which the great seal of England was affixed; the transcript whereof, with the original of the other, are at your command to be produced.

I shall not presume to judge of the advantages by this alliance to this nation and to the protestant interest through the world; this honourable house are best able to judge thereof, and of the duty of their servant, and his performance thereof; who submits all to their wisdom and favourable construction.

And being now in my return homewards, give me leave, sir, to acquaint you with some passages of respect to this commonwealth in my journey both in Sweden, Denmark, and Germany.

The magistrates and people of Stockholm were very respectful to your servants, and general Wrangel, and major-general Fleetwood, with here Lagerfelds, and others, accompanied me forty English miles to their chief city.

There they freely showed me not only the stately castle, town, haven,
604 and ships, but their works, magazines, arsenal, workhouses for arms and shipping, which were very strong and considerable.

There I had two ships provided for my transportation over the Baltic sea, and in that where I went on board a vice-admiral was

sent to command, being a point of great honour, and the ship was richly furnished, and accommodated for the voyage.

After we had passed this deep and rough sea, through great tempests and dangers, and were arrived near to the hanse town of Lubeck, they hearing of it by our guns, sent their coach and officers to conduct me to their city, where some of the chief of their lords, with their syndick, or recorder, came from the rest to salute me, and in the Latin oration made to me gave me all welcome to the place, and highly expressed their valuation of this commonwealth.

I received also civil compliments and salutations from the dukes of Saxony, Holstein, Courland, Lunenburgh, and other free princes of Germany, full of respect and honour to you.

Here I received likewise respect and ceremonies from the English company at Hamburgh, two days' journey from this city, who sent messengers to invite me to their house in Hamburgh, and expressed all duty and respects to you as their superiors.

In my land-journey, which was not without hardship and want of conveniences, where the armies had been in their late wars betwixt these two hanse towns of Lubeck and Hamburgh, about two leagues before I came to Hamburgh, my countrymen of the English company there met me upon the way with about fifty coaches and about two hundred horsemen, to welcome me to those parts.

They treated me nobly by the way, and conducted me into Hamburgh, where the streets were so crowded with people that we had a difficult passage through them, and generally, both in their words and carriage, they expressed all civility and respect unto this commonwealth.

The same evening that I came hither the lords of Hamburgh sent four of their senators with their syndicks to salute and welcome me to their city, and presented me nobly with provisions of fish and flesh, wine and beer, for my hospitality.

They congratulated the success of your treaty with Swedland, and expressed very high regard to our commonwealth; they invited me to collations, and did me the honour to come to my table, and appointed one of their chief military officers to show me the works and ammunition of the town, and others of their own number to accompany me to their town-house, and to inform me in matters relating to their judicatories.

Indeed their fortifications are very strong and regular, and they have great store of arms and ammunition, and give therein a good pattern for others, as also for provisions for their shipping.

Sir, I must do this right to them, that both at my coming thither,

and during my stay there, (which was about ten days,) and at my departure from thence, they did upon all occasions manifest as great an esteem and respect for this commonwealth as any whom I have met with in foreign parts.

Sir, it pleased God to stop our voyage by contrary winds, and to stay us upon the Elbe near Gluckstade, a town of the king of Denmark's, who hearing of my being there, sent one of his senators, grave Rossen-Cross, viceroy of Holstein, to invite me to his court.

The viceroy came with many attendants, and not without great danger by the stormy weather, on board my ship, and highly complimented this commonwealth from his master; but I, knowing the course of treatments in those parts, excused myself with the best civility I could from going on shore,

Alleging, (what was a truth,) that no person having the command of your ships, (as I then had,) and being on board them, ought to go from them without leave until his voyage were finished, and that this was my condition at that time.

I had much ado to satisfy the viceroy, but he was well pleased with this treatment, and promised to make my apology to his master, and to do all good offices with him, to testify his service to this commonwealth.

After an extreme dangerous and strong passage betwixt Hamburgh and England, wherein the hand of God appeared wonderfully in the preservation of your servants, we all came in safety to our dear country.

Thus, sir, I have given you an account of the whole transactions of this business, and for any errors or miscarriage of mind in the negotiation, or in this account I have given you of it, I humbly ask your pardon.

After I had spoken, the house gave a general applause, and divers of them stood up and moved, that I might have the public thanks of the house for the good service done in this hazardous and important business of my embassy.

Then the lord Broghill, my noble intimate friend, spake much in commendation of the treaty and of the ambassador, and seconded the motion, that I might have the public thanks of the house for my good service.

He added, that there was a considerable sum of money due to me for the expenses of my embassy, and no gratuity or reward given me for my hazardous and great service done for this commonwealth:

And further moved, that 2000*l.* might be ordered by the house to be paid, in satisfaction of all arrears due to me, and as a mark of favour from the house.

Others, who were well acquainted with the business, informed the house, that there was near 2000*l.* arrears due to me, and that there would be very little of the 2000*l.* (if they should order it for me) which would be a testimony of their favour and reward of my services.

The house unanimously ordered that 2000*l.* should be forthwith paid out of the public treasury, in satisfaction of all my expenses in my embassy not yet paid, and of all arrears due to me; and the speaker, according to the order, did solemnly give me the thanks of the house for the great service I had performed for this commonwealth in my embassy in Sweden.

The picaroons were chased from the western coast into France.

7. Six English vessels at several times were taken upon the western coast, and carried into Brest and other havens of France by the picaroons.

8. The States of Holland sent their command to the go- 605
vernor of Breda, that if the queen of Sweden came thither, he should entertain her according to the quality of so great a princess.

Much division was amongst them concerning the young prince of Orange.

9. Most of the great commanders of the Highlanders came in to the English upon articles.

11. The house all the three last days and this day debated upon the articles of government. Debates about the government.

An ordinance was published to enable such soldiers as had served the commonwealth in the late wars to exercise any trade.

12. Oliver being acquainted that the debates of the parliament grew high touching the new government, and entertaining a jealousy (to which he was much addicted) that this parliament would either too far invade it or endeavour to overthrow it, he sent for the members to meet him in the painted chamber, where he spake to them to this effect:

That when he met them few days since, and delivered his mind unto them, he did it with much more hopes and comfort than now; Protector's speech.

that he was very sorry to find them falling into heats and divisions. He opened to them the miscarriages of the former long parliament, and by what means he came to the government, together with the consent that the people had many ways given thereunto.

That the other day, when he told them they were a free parliament, he did also consider there was a reciprocation: for that the same government which made them a parliament, made him protector; and as they were intrusted with some things, so is he with other things. That there were some things in the government fundamental, and could not be altered:

1. That the government should be in one person and a parliament.

2. That parliaments should not be made perpetual, which would deprive the people of their successive elections; nor that the parliament should be always sitting; that is, as soon as one parliament is up, that another parliament should come and sit in their places the very next day; that this could not be without subjecting the nation to an arbitrary power in governing, because parliaments, as long as they sit, are absolute and unlimited.

The third fundamental was in the matter of the militia, and therefore for the preventing the two aforementioned inconveniences, the militia was not to be intrusted in any one hand or power, but to be so disposed, that, as the parliament ought to have a check upon the protector, to prevent excesses in him, so, on the other hand, the protector ought to have a check upon the parliament, in the business of the militia, to prevent excesses in them; because if it were wholly in the parliament, they might, when they would, perpetuate themselves.

But now the militia being disposed as it is, the one stands as a counterpoise to the other, and renders the balance of government the more even, and the government itself the more firm and stable.

The fourth was about a due liberty of conscience in matters of religion, wherein bounds and limits ought to be set, so as to prevent persecution.

That the rest of the things in the government were examinable and alterable, as the occasion and the state of affairs should require.

That as for a negative voice he claimed it not, save only in the foresaid particulars.

That in all other things he had only a deliberative power, and if he did not pass such laws as were presented to him within twenty days after their presentment, they were to be laws without his consent.

Therefore he told them, that things being thus, he was sorry to understand that any of them should go about to overthrow what

was so settled, contrary to their trusts received from the people, which could not but bring on very great inconveniences; to prevent which he was necessitated to appoint a test, or recognition of the government, which was to be signed by them before they went any more into the house.

The recognition was in these words:

I, *A. B.*, do hereby freely promise and engage myself to be true and faithful to the lord protector and the commonwealth of England, Scotland, and Ireland, and shall not (according to the tenor of the indenture whereby I am returned to serve in this present parliament) propose or give any consent to alter the government as it is settled in one single person and a parliament. The recognition.

This being engrossed in parchment was placed on a table near the house door, for the members to peruse and sign it; and about one hundred and thirty of them subscribed it, and took their places; and the house adjourned for one day, to give time for the rest to sign it.

Major-general Harrison was secured by a party of horse by the lord protector's order. Harrison secured.

13. A solemn fast was kept.

An ordinance passed to give liberty to carry millstones, timber, stones, &c.

14. Many more of the members subscribed the recognition.

The house voted and declared, that the recognition did not comprehend, nor should be construed to comprehend therein, the whole government, consisting of forty-two articles, but that it doth only include what concerns the government of the commonwealth by a single person and successive parliaments. Vote. Recognition.

An ordinance published touching fines.

The university of Oxford acknowledge the respect of the protector to them in continuing their chancellor and bestowing on the public library there twenty-four manuscripts in Greek, and for munificently ordering 100*l.* per annum to a divinity reader. Oxford.

15. A ship from St. Lucas came into the Downs, and in her 100,000*l.* in plate, besides other rich goods.

Some barks were cast away near Pool, laden with linen.

16. After a sharp conflict with sir Arthur Forbes in Scotland he was taken prisoner, and his forces dispersed. Scotland.

Cornet Peas, with twenty-five horse, set upon Montrose, who had two hundred horse and foot, and killed five, took eight prisoners, and twenty-seven horse, Montrose and his officers hardly escaping, and took divers commissions and instructions from the king.

18. The parliament passed a declaration, to which the protector assented, for a fast to be kept in the three nations.

The parliament passed these votes:

Votes. That all persons returned, or who shall be returned, to serve in this present parliament, shall (before they be admitted to sit in this house) subscribe the recognition. That those subscriptions shall be taken in the presence of any two members who have subscribed the recognition.

Act of government. 19. The parliament sat in a grand committee, and ordered so to sit *de die in diem*, to debate the act of government, till they have gone through the forty-two articles.

606 They voted,

Votes. That the supreme legislative authority shall reside in a lord protector, and the people assembled in parliament, and that the present lord protector shall continue during life.

The lord Lorn, the earl of Argyle's son, took a vessel laden with provisions that was going to his father, and took her men prisoners.

Ireland. Fleetwood was proclaimed lord deputy in Ireland.

Debates. 20. The parliament debated, in a grand committee, upon the articles of government, as they did daily.

21. Still the debates continued in a grand committee upon the articles of government, and several votes were passed by the committee.

Scotland. 22. Colonel L. Forester, in Scotland, submitted upon articles to the English commonwealth; and no enemy appeared in Scotland.

The English commissioners appointed magistrates and councils for the several burghs in Scotland.

23. Divers noblemen and others of Scotland, who had fines imposed on them by an ordinance of the protector and his council, came in to the English commissioners to offer what they could for remission of those mulcts.

Scandalous ministers. 25. Debate about the ordinance for ejecting scandalous

and ignorant ministers, and ordered, that the members for the several counties do bring in the names of fit persons to be commissioners in this act in the respective counties.

26. An ordinance of the protector and his council, made a little before the parliament sat, was now published, appointing commissioners to survey forests, manors, lands, &c. of the late king.

Another for the taking the accounts of moneys received upon the act for propagation of the gospel in Wales.

Another for bringing in several branches of the revenue under the management of the commissioners of the treasury and exchequer.

Three small prizes brought in.

27. The lord Loudon, late chancellor of Scotland, was seized upon by some of his own party, intending to make their peace by him, but he got off from them, receiving a shot in his neck. Loudon.

Colonel Morgan came out of Scotland for England, and colonel Overton was sent into the north of Scotland to command in his place.

Bremen sent commissioners to the States of Holland to desire their assistance to repel the Swede.

Count William of Nassau went from one good town to another in Holland, feasting the magistrates and people to gain their affections to the prince of Orange. Prince of Orange.

Mr. Howard, son to the earl of Arundel, slew one Mr. Holland in the passage going to the star-chamber, where a committee sat.

28. The lord mayor, aldermen, and common-council of London published their order, in pursuance of an ordinance of the lord protector and his council for restraint of hackney-coaches.

29. A new lord mayor of London chosen, alderman Pack.

The new sheriffs of London were sworn in the exchequer.

30. The grand committee of parliament debated the articles of government, and came to some further results and votes upon several parts of them, which they ordered to be reported to the house forthwith. Debates.

October 1654.

2. The marquis of Montrose and his party in Scotland came in upon the like articles as the earl of Athol had done.

Those of Bremen were much put to it by the Swede.

3. The business between England and the States of Holland, in relation to their East-India company, was concluded by commissioners on both parts to their contentment.

Commissioners met to reconcile the differences betwixt the Swedes and Bremen.

4. A French prize was brought in, and seven more French prizes, bankers, sent in.

5. Much endeavour in Holland for setting up the Orange party.

Recognition. 6. The parliament, being resolved into a grand committee, sat every day upon the articles of government. Three hundred members of the house had subscribed the recognition.

Letters of the death of the old chancellor of Sweden, Oxenstiern, and that his son, grave Erit Oxenstiern, was to succeed him.

I was diligent in my attendance upon the parliament, and had gained so great an interest in the house, that Oliver was not pleased with it.

Middleton. 7. Middleton ranged up and down in Argyle's country in Scotland with about forty horse and some foot, but few came in to him to add to his numbers.

9. Twelve French ships taken by captain Gethings and four more of the English fleet.

Some more parliament men were chosen in Scotland.

Elections. 10. Divers members returned for several places where they were elected, made their elections in the house for which of those places they would serve, and new writs issued for electing members in the places waved by them.

I made my election to serve for Bucks, being my native country, and where I did inhabit; yet Oxford and Bedford took it ill that I waved them, which I could not help.

Questions about some of the elections of parliament men for Scotland were heard at the committee of privileges: in regard of the plenty of corn, butter, and cheese, which God gave us this year, it was referred to a committee to consider how some encouragement may be had for the transportation thereof, and the statutes in force against ingrossers.

A committee appointed to consider of the ordinances made by the protector and his council.

11. The solemn fast kept.

12. The house sat in a grand committee about the govern- The government.
ment.

13. The Highlanders in Scotland having stolen a hundred cattle from the Lowlands, a party of the English army routed them, killed a lieutenant-colonel, and one or two others, and routed the rest.

14. Lawson defeated the French in Canada, and took their forts from them.

16. Sir Mungo Murray taken prisoner in the Highlands by captain Elsemore, and his party routed.

17. The inhabitants of Ireland, being very sensible of the Ireland.
mischiefs done to them by the tories, made head against them, slew divers, and brought their heads into Kilkenny.

The business of transplanting distasted the Irish more than any other thing.

At Delfe in Holland a magazine of seven hundred barrels 607
of powder was casually set on fire, burnt about three hundred houses and a great number of people; and in the Hague, three miles distant, their glass windows were beaten down with the blow.

Four French vessels sent in prizes.

18. Working in the Netherlands for advancement of the party of the prince of Orange.

19. The house sat this day, and the three former days, in a The government.
grand committee about the government, and had much debate whether it should be elective or hereditary as to the single person, the protector of the commonwealth.

20. The inhabitants of Edinburgh were very cross to the parliament's soldiers quartered among them.

21. The parliament continued sitting in a grand committee upon the articles of government.

I received this letter:

My Lord,

I have lately received by the hands of Mr. Vice-Chancellor two Swedish medals, which you were pleased to give (an honourable addition) to sir Thomas Bodley's library, and I have taken the confidence, in the name of the university, to return our humblest and heartiest thanks. It is the fatal infelicity of this age that too many think even universities and learning itself useless, if not dangerous, but it is a great credit and comfort to us that your honour thinks otherwise, which we are assured of (amongst other evidences) by

your present charity; nor do we doubt but that hand which at present does liberally augment our library will for the future (if need be) defend it: your old mother the university (in this is happy that she is your mother) hath commanded me to tell you, that she is not now in a condition to requite your kindness; yet she doubts not but her children here have still so much learning and gratitude as to let posterity know who hath been her benefactor, and withal she hopes it will be no dishonour to your lordship, when, in after ages, your name and charity shall be read in our register. I know you have goodness enough to pardon this rude and (I fear) impertinent scribble: God Almighty bless you and all yours, and all those noble and generous souls who wish well to the public: this is and ever shall be the prayer of, my lord,

Queen's college, Oxon. Biblioth. Bodl. Oct. 22, 1654.

Your lordship's most humble servant,
THO. BARLOW.

23. Four more French prizes brought into Plymouth.

24. Colonel Hammond, one of the parliament's commissioners, died at Dublin.

Two English soldiers brought to the gallows in Edinburgh for robbery; one was hanged and the other saved by lot; and more soldiers were then scourged at the gallows' foot for the same offence.

Scotland. The clergy in Scotland refused to observe the fast-day ordered by the protector, it being their principle not to receive any directions for the keeping fasts from the civil magistrate.

A party of the Scots taken and killed in the Highlands by a small party of the English forces.

25. A committee appointed to bring in a bill for the relief of creditors and poor prisoners.

The committee for religion sat, and the committee for regulating of the chancery.

Parliament. The parliament approved and confirmed the present lord deputy of Ireland, the present lords commissioners of the great seal of England, the commissioners of the treasury, and the two chief justices.

26. The parliament continued the consideration of the government.

27. Don Antonio Piementelle appointed to go ambassador extraordinary from the king of Spain to the king of Sweden.

At Delfe in Holland, by the late fire, five hundred persons

were killed, two hundred and fifty wounded, and five hundred houses burnt to ashes.

28. The Brest pirates took four English ships and barks.

30. The new lord mayor of London, alderman Pack, took his oath before the barons of the exchequer.

In a great fire in Edinburgh the English soldiers were so active to stop it, that thereby they gained much upon the affections of the citizens; and thirty of them and of the inhabitants were slain by the fall of timber and houses on fire upon them.

Some small skirmishes were between little parties of the Highlanders and the parliament's forces.

31. Voted by the parliament that any natives of the commonwealth may transport wheat when the price shall not exceed six and thirty shillings the quarter, paying fourpence the quarter custom. Corn transported.

And rye, when it exceeds not four and twenty shillings the quarter, paying threepence the quarter custom.

And barley or malt, when the price of it exceeds not twenty shillings the quarter, paying twopence the quarter custom.

And peas, not being above four and twenty shillings the quarter, paying threepence the quarter custom.

And beans, not being above four and twenty shillings the quarter, paying threepence the quarter custom.

The corn to be transported in vessels of this commonwealth.

Butter to be transported when it is not above sixpence the pound: a bill to be brought in for this purpose.

November 1654.

1. The officers of the army met at St. James's, to keep a day of praying together.

The resident of the duke of Guelders had audience of the protector, declaring the late decease of his master, and the acknowledgment he made upon his death-bed of the favours and protection he had received from the protector, desiring the continuance of his favour and protection to his son. Duke of Guelders.

2. The lord Lorn, the marquis of Argyle's son, continued in rebellion against his father.

Colonel Hammond's funeral solemnized at Dublin with much state.

3. The parliament sat upon the articles of government, and voted the forfeiture of lands for treason and delinquency.

4. Petitions of the lord Craven, sir John Stowell, and others, referred to several committees.

6. Debate about the bill for ejecting ignorant and scandalous ministers and schoolmasters, and voted, that in the
608 mean time the ordinance for ejecting them, passed by the protector and his council shall not be suspended.

Order for accounts to be brought in of the values of all customs and receipts in several offices.

Civil law. Petition of the doctors of the civil law, in behalf of themselves and their profession, was referred to a committee.

A committee of ten persons appointed to confer with his highness about stating the point of liberty of conscience.

Pamphlets. 7. Order to examine and punish the authors and publishers of a scandalous and treasonable pamphlet, entitled, *Colonel Shapcot's Speech in Parliament*, and the sergeant-at-arms to seize the copies.

8. The protector and his council considered of the nomination of new sheriffs in the several counties.

9. Long debate by council at the committee for the lord Craven's and sir John Stowell's petitions.

Government. 10. Debate in parliament upon the article of government, that the supreme legislative power shall be in one person, and the people assembled in parliament, being the first article.

And upon the twenty-fourth article, that if the protector consent not to bills presented to him within twenty days, that they shall pass as laws without his consent.

This letter came from Mr. Selden to me:

My Lord,

Selden. I am a most humble suitor to your lordship, that you would be pleased that I might have your presence for a little time to morrow or next day. Thus much wearies the most weak hand and body of

White-Friars, Nov. 10, 1654. Your lordship's most humble servant,

J. Selden.

I went to him, and was advised with about settling his estate and altering his will, and to be one of his executors; but his weakness so increased, that his intentions were prevented: he died the last of this month: he lived at the countess of Kent's house in White-Friars: his mind was as great

as his learning: he was as hospitable and generous as any man, and as good company to those whom he liked.

The primate of Ireland preached his funeral sermon in the Temple church, and gave him a great and due eulogy.

11. The parliament agreed upon the first and twenty-fourth articles of government, with little alteration.

13. A petition of the purchasers of the lord Craven's estate, referred to the former committee; likewise a petition of sir John Stowell.

The king of Sweden's marriage was solemnized at Stock- Sweden.
holm the fourteenth of October last.

14. Prince William of Nassau received by the province of Overyssell to be governor there during the minority of the prince of Orange.

15. The house proceeded in the debate of the articles of government.

They considered of an assessment for the preventing of free quarter.

The lord Lorn sent parties into his father's country to steal cows.

16. The parliament voted his highness to be lord protector, &c. during his life.

They debated about the business of the militia by sea and land.

17. A list published of the several sheriffs for England and Wales, agreed on by the protector and his council.

Much debate at the committee concerning the lord Craven's and sir John Stowell's business.

A fire in Amsterdam quenched by casting sand upon it.

Some few of Middleton's party in Scotland roaming up and down were routed by the parliament's forces.

The funeral of the protector's mother solemnized at Westminster Abbey.

20. The parliament sat forenoon and afternoon upon the Government.
government, and agreed fully upon the first article and the twenty-fourth.

21. Vote for an assessment of 60,000*l.* a month for three months, to be laid on England.

Petition concerning sir Peter Vanlore's estate, referred to a committee.

Some small skirmishes were in the Highlands.

22. A committee appointed to consider of the accounts of the kingdom, and who have any public moneys in their hands.

The king of Scots was at Cologne, and the queen of Bohemia went to Flanders to visit the queen of Sweden.

23. The house in the forenoon upon the government, and in the afternoon upon the assessment.

Middleton. 24. Five hundred Irish were landed in some isles of Scotland to join with Middleton and Seaforth; a hundred and sixty horse more were to join with them, and to force the clans to rise with them.

Votes. The parliament voted, that no law should be altered or repealed, nor new laws made, nor any tax imposed, but by assent of parliament.

25. The parliament voted, that a new parliament should be summoned to meet upon the third Monday of October, 1656.

Chancery. They called for a report from the committee for regulating the chancery.

Seven English ships and divers foreign ships cast away by a storm near Dover.

Elections. 27. The parliament passed several votes touching qualifications of persons to be chosen to serve in parliament, and for the electors.

Votes. Vote, that a new parliament shall be every third year, and not to sit above six months but by act of parliament with the protector's consent, and that to be but for three months longer.

That the protector may summon parliaments within the three years, if he see cause, to sit for three months, and the summons to be by writ according to law.

The chancellor or commissioners of the seal to issue writs of summons, without the protector's warrant, if he issue not his warrant for it by a time limited in the vote, and how the elections shall be made.

Drunkards. Order for a bill against drinking of healths, and the same penalties to be imposed on drunkards as are by the act upon swearers, and for a bill to supply the defects in the acts against swearing and gaming.

The ordinance for regulating the chancery suspended for a time.

No private business to be taken into consideration for a month.

That the public accounts be taken.

A committee made to inquire of forged debentures.

28. The lord ambassador Bordeaux from the king of France had audience of the protector.

A committee made to confer with his highness about re- 609
trenching the forces of the commonwealth.

29. The house sat in a grand committee upon the bill of assessment.

Don Antonio Piementelli arrived at Bruxels with some presents from the king of Spain to the queen of Sweden.

30. Count William of Nassau carried on his design with all the interest he could make for setting up the prince of Orange, but it was fruitless.

The parliament sat every day, forenoon and afternoon, about the government. Government.

Much debate was had and time spent at the committee for the lord Craven's business.

December 1654.

1. Seven or eight English vessels taken by the Brest pirates.

A ship came from Guinea with much gold in her.

2. A ship laden with rich goods from Smyrna was the day after her arrival in the Thames fired by accident, and the ship and goods burned.

4. That a party under captain Lisle and lieutenant Heylin routed a greater party under the lord Kinoul and the lord Oudop, and took both the lords prisoners, and eighty-two officers and soldiers, and all their arms. Scotland.

5. Votes of the parliament for choosing succeeding protectors and their council, and the form of an oath to be taken by the council.

The act passed for the assessment. Assessment.

That the assessment for Scotland shall be 8000*l.* per mensem, and the like sum upon Ireland.

6. The parliament voted that the protector for the time being should not have power to pardon murder or treason. Pardon.

Letters from major Sedgwick of the taking of divers forts from the French in the West-Indies.

7. Major-general Overton was careful in supplying the garrisons in the Highlands in Scotland.

8. The parliament had a long debate upon a clause of liberty of tender consciences.

The city of Bremen could not come to an agreement with the king of Sweden, by reason of the divisions of the citizens, the Lutherans against the Calvinists.

9. General Blake with his fleet was come up into the Straits.

Vote. 11. The parliament voted,

Religion. That the true, reformed, protestant, Christian religion shall be publicly professed and maintained.

A committee named to consider of a way for a competent allowance for ministers out of impropriations, or otherwise, where it was wanting.

That to bills touching liberty of conscience, the protector shall have a negative, but not to bills for suppressing heresies.

That damnable heresies in the bill shall be enumerated.

A petition from poor public faith lenders.

Sweden. At the marriage of the king of Swedland with the princes of Holstein by the archbishop of Upsal, grave Eric Oxenstiern, chancellor, made an oration in commendation of the queen and the alliance; all the great guns and small shot in Stockholm were discharged, and the ships gave five thousand shot, and there were great triumphs and solemnities.

Biddle. 12. The parliament voted two books, printed under the name of John Biddle, to contain many impious and blasphemous opinions against the deity of the Holy Ghost, and that the books shall be burnt by the hand of the hangman; and named a committee to examine and find out the authors, printers, and publishers of these books.

Holy Ghost.

Blake. General Blake, before Cadiz road, received great respect and civility from the Spaniards, and from the English and Dutch ships in the road, in their saluting him; and a Dutch admiral there would not wear his flag whilst general Blake was in the harbour.

In the Straits' mouth one of his victualling ships was separated from the fleet by storms, and taken by the French admiral with seven men of war, who examined the captain of the victualler where general Blake was, and drank to him with five guns, and discharged the captain and his ship.

De Wit and other Dutch ships struck sail to him in the Straits.

The governor of Gibraltar feasted some of his company who went on shore there, and showed great honour and civility to them.

The Algiers men, when they meet with any Sally men of war that have any English in them, cause them to surrender, and brought the captives to general Blake, and were very kind to his fleet.

13. Mr. Biddle brought to the bar of the house, owned his books, and was committed to the Gatehouse. Biddle.

The lord Lorn went into a little island, not having above four or five men with him.

14. The prince of Condé went to Antwerp to visit the queen of Sweden.

The parliament had long debates upon the point of liberty of tender consciences, but came to no result. Debates.

Divers fundamentals in religion were proposed by ministers to be established by them.

15. Divers merchants' ships richly laden from several foreign parts arrived safely in the port of London.

16. The house sat on the government.

18. The parliament voted,

That without the consent of the lord protector and parliament no laws shall be made for the restraining of such tender consciences as shall differ in doctrine, worship, and discipline from the public profession, and shall not abuse this liberty to the civil injury of others or the disturbance of the public peace; Vote. Tender consciences.

And that the present establishment, as to the standing forces of the nation, shall be twenty thousand foot and ten thousand horse and dragooners, and the assessment of 60,000*l.* per mensem for their maintenance. Government. Standing army.

A committee named to consider how a standing court of judicature may be settled at York for the five northern counties; York.

And how the probate of wills, granting administrations, and recovery of legacies, may be settled throughout England and Wales and Ireland.

A petition of the owners of fen lands referred to a committee.

19. Divers commanders of the Highlanders came in to major-general Overton, and Middleton had left with him but forty men.

A revenue of 200,000*l.* per annum voted to be settled upon the lord protector and his successors, for defraying public charges, and to maintain the dignity of his place. Revenue.

Parl ament. 20. The parliament agreed that all sales of the king's lands, and of bishops', deans', and chapters' lands, should stand good and valid; and that all securities for moneys should stand good, and debts upon public faith should be satisfied;

610 And that articles given to the enemy should be confirmed.

Oath. They passed an oath to be taken by the lord protector and his successors for the due calling of parliaments and for the good government of the nation:

Council. That the council shall be sworn before the parliament when they sit, and in the intervals of parliament before the commissioners of the great seal.

Whitehall. That Whitehall, St. James's, the Mews, Somerset-house, Greenwich, Hampton-court, Windsor, and the manor of York, be kept unsold for the protector's use:

That all moneys be brought into the exchequer, and all public debts sued for in the protector's name.

22. Storms in Scotland destroyed many hundred of cattle.

Monroe came in to major-general Overton, and divers others of his party.

The bill touching the articles of government read the first time.

Dr. Walker appointed to be of council for the commonwealth in the business of the lord Craven.

23. A petition of disbanded officers for their arrears referred to a committee.

A petition from the university of Cambridge referred to a committee.

Government. The bill for settling the government was read the second time; and the house sat, forenoon and afternoon, in the debate of it.

25. The house sat, though it was Christmas day, and proceeded in their debates touching the government.

L. Craven. 26. Arguments before a committee concerning the lord Craven's business on his part, and for the purchasers of his estate; the lord Craven's counsel showed precedents, that judgments against a party unheard have been reversed in succeeding parliaments; the purchasers' counsel insisted on the credit of the act of parliament, which persuaded them to buy his lands.

27. Letters of solemnities at Stockholm upon the marriage of their king.

28. The house proceeded in their debates touching the government. Government.

29. The government by the protector was still the subject of the house's debate.

30. A Quaker came to the door of the parliament, and drawing his sword, fell to slashing those near him, and knocked at the door aloud: he was laid hold on, and committed to prison.

January 1654.

1. The house debated the matter of election of members for succeeding parliaments.

The company of merchant adventurers of England residing at Hamburgh sent a letter to me, subscribed by most of them, entreating my protection of them from the injuries sought to be put upon them by some of their discontented brethren, who misinformed the lord protector against them; and they sent me the state of their case, and entreated my interposition to the protector on their behalf; and I did them some service therein.

3. The Quaker being examined by a committee why he drew his sword, and hurt divers at the parliament door, answered, that he was inspired by the Holy Spirit to kill every man that sat in the house. Quaker.

The house debated the point of liberty of conscience upon the new government, and agreed to give it to all who shall not maintain atheism, popery, prelacy, profaneness, or any damnable heresy, to be enumerated by the parliament.

7. The parliament continued their debates touching the government, wherein many things were spoken which gave great offence to the protector and his council, and cause of suspicion that no good was to be expected from them. Government.

8. The parliament continued not inclinable to the protector's desires.

11. The parliament made what haste they could to finish their debates.

16. The business of parliament was not likely to come to a good issue.

17. The protector advised about sending a fleet to the West-Indies.

20. I attended the parliament, but not with much hope of doing good.

The protector began to be weary of the parliament, and to have thoughts of dissolving it. I advised him to the contrary, upon experiences of former inconveniences upon the dissolution of parliaments, which ever caused ill blood; however, I advised him not to dissolve it till after the time was past that they were to sit by the instrument of government; but the protector seemed not to be very solicitous thereof, and was resolute to part with them; and some of his council were not backward to promote what they perceived he was inclined to have done.

29. Much debate was at Whitehall about dissolving of the parliament.

31. The protector dissolved the parliament, having first made this speech:

Gentlemen,

I perceive you are here as the house of parliament by your speaker, whom I see here, and by your faces, which are in a great measure known to me.

When I first met you in this room, it was, to my apprehension, the hopefullest day that ever mine eyes saw, as to the considerations of this world: for I did look at (as wrapt up in you, together with myself) the hopes and the happiness of (though not of the greatest, yet a very great, and) the best people in the world; and truly and unfeignedly I thought so; as a people that have the highest and the clearest profession among them, of the greatest glory, (to wit,) religion: as a people that have been like other nations, sometimes up and sometimes down in our honour in the world, but yet never so low but we might measure with other nations; and a people that have had a stamp upon them from God, God having (as it were) summed all our former glory and honour, in the things that are of glory to nations, in an epitomy within these ten or twelve years last past; so that we knew one another at home, and are well known abroad.

And (if I be not very much mistaken) we were arrived (as I and, truly as I believe, many others did think) at a very safe port, where we might sit down and contemplate the dispensations of God and our mercies, and might know our mercies not to have been like to those of the ancients, who did make out their peace and prosperity, as they thought, by their own endeavours; who could not say as we, that all ours were let down to us from God himself, whose appearances and providences amongst us are not to be outmatched by any story.

Truly this was our condition, and I know nothing else we had to 611
do, save, as Israel was commanded in that most excellent psalm of David, Ps. lxxviii. 3–7. *The things which we have heard and known, and our fathers have told us, we will not hide them from their children, showing to the generation to come the praises of the Lord, and his strength, and his wonderful works which he hath done; for he established a testimony in Jacob, and appointed a law in Israel, which he commanded our fathers that they should make them known to their children, that the generation to come might know them, even the children which should be born, who should arise and declare them to their children, that they might set their hope in God, and not forget the works of God, but keep his commandments.*

This I thought had been a song and a work worthy of England, whereunto you might have happily invited them, had you had hearts unto it.

You had this opportunity fairly delivered unto you; and if a history shall be written of these times, and of transactions, it will be said, (it will not be denied,) but that these things that I have spoken are true.

This talent was put into your hands, and I shall recur to that which I said at the first, I came with very great joy and contentment and comfort, the first time I met you in this place: but we and these nations are, for the present, under some disappointment. If I had purposed to have played the orator, which I did never affect, nor do, nor I hope shall, I doubt not but upon easy suppositions, which I am persuaded every one among you will grant, we did not meet upon such hopes as these.

I met you a second time here, and I confess at that meeting I had much abatement of my hopes, though not a total frustration. I confess, that that which damped my hopes so soon was somewhat that did look like a parricide. It is obvious enough unto you, that the management of affairs did savour of a not-owning, too too much savour, I say, of a not-owning the authority that called you hither; but God left us not without an expedient that gave a second possibility—shall I say a possibility? it seemed to me a probability—of recovering out of that dissatisfied condition we were all then in, towards some mutuality of satisfaction, and therefore by that recognition, suiting with the indenture that returned you hither, to which afterwards also was added your own declaration, conformable to and in acceptance of that expedient, whereby you had (though with a little check) another opportunity renewed unto you to have made this nation as happy as it could have been if every thing had smoothly run on from that first hour of your meeting.

And indeed (you will give me liberty of my thoughts and hopes) I did think, as I have formerly found in that way that I have been engaged as a soldier, that some affronts put upon us, some disasters at the first, have made way for very great and happy successes.

And I did not at all despond, but the stop put upon you would in like manner have made way for a blessing from God, that that interruption being, as I thought, necessary to divert you from destructive and violent proceedings, to give time for better deliberations; whereby, leaving the government as you found it, you might have proceeded to have made those good and wholesome laws, which the people expected from you; and might have answered the grievances and settled those other things proper to you as a parliament, and for which you would have had thanks from all that intrusted you.

What hath happened since that time I have not taken public notice of, as declining to intrench upon parliament privileges: for sure I am, you will all bear me witness, that from your entering into the house upon the recognition to this very day, you have had no manner of interruption or hinderance of mine, in proceeding to that blessed issue the heart of a good man could propose to himself to this very day.

You see you have me very much locked up as to what you transacted among yourselves from that time to this, but something I shall take liberty to speak of to you. As I may not take notice what you have been doing, so I think I have a very great liberty to tell you, that I do not know what you have been doing; I do not know whether you have been alive or dead, I have not once heard from you in all this time, I have not, and that you all know: if that be a fault that I have not, surely it hath not been mine.

If I have had any melancholy thoughts, and have sat down by them, why might it not have been very lawful to me to think that I was a person judged unconcerned in all these businesses? I can assure you I have not reckoned myself, nor did I reckon myself, unconcerned in you, and so long as any just patience could support my expectation I would have waited to the uttermost to have received from you the issues of your consultations and resolutions; I have been careful of your safety, and the safety of those that you represented, to whom I reckon myself a servant.

But what messages have I disturbed you withal? What injury or indignity hath been done or offered, either to your persons or to any privileges of parliament since you sat? I looked at myself as strictly obliged by my oath, since your recognizing the government, in the authority of which you were called hither, and sat to give you all

possible security, and to keep you from any unparliamentary interruption.

Think you I could not say more upon this subject if I listed to expatiate thereupon? but because my actions plead for me, I shall say no more of this.

I say, I have been caring for you, your quiet sitting, caring for your privileges, (as I said before,) that they might not be interrupted; have been seeking of God, from the great God, a blessing upon you and a blessing upon these nations: I have been consulting, if possibly I might in any thing promote, in my place, the real good of this parliament, of the hopefulness of which I have said so much unto you.

And I did think it to be my business, rather to see the utmost issue, and what God would produce by you, than unseasonably to intermeddle with you. But, as I said before, I have been caring for you, and for the peace and quiet of the nations, indeed I have, and that I shall a little presently manifest unto you.

And it leadeth me to let you know somewhat that I fear, I fear will be through some interpretation a little too justly put upon you whilst you have been employed as you have been, (and in all that 612
time expressed in the government, in that government, I say, in that government,) brought forth nothing that you yourselves can be taken notice of without infringement of your privileges.

I will tell you somewhat, that (if it be not news to you) I wish you had taken very serious consideration of; if it be news, I wish I had acquainted you with it sooner; and yet if any man will ask me why I did not, the reason is given already, because I did make it my business to give no interruption.

There be some trees that will not grow under the shadow of other trees; there be some that choose (a man may say so by way of allusion) to thrive under the shadow of other trees: I will tell you what hath thriven, I will not say what you have cherished under your shadow, that were too hard. Instead of the peace and settlement, instead of mercy and truth being brought together, righteousness and peace kissing each other, by reconciling the honest people of these nations, and settling the woeful distempers that are amongst us, (which had been glorious things, and worthy of Christians to have proposed,) weeds and nettles, briars and thorns, have thriven under your shadow, dissettlement and division, discontentment and dissatisfaction, together with real dangers to the whole, has been more multiplied within these five months of your sitting than in some years before.

Foundations have been also laid for the future renewing the trou-

bles of these nations by all the enemies of it abroad and at home; let not these words seem too sharp, for they are true as any mathematical demonstrations are or can be; I say, the enemies of the peace of these nations abroad and at home, the discontented humours throughout these nations, which I think no man will grudge to call by that name, or to make to allude to briars and thorns, they have nourished themselves under your shadow.

And that I may be clearly understood, they have taken the opportunities from your sitting, from the hopes they had, which with easy conjecture they might take up, and conclude, that there would be no settlement, and therefore they have framed their designs, preparing for the execution of them accordingly.

Now whether (which appertains not to me to judge of in their behalf) they had any occasion ministered for this, and from whence they had it, I list not to make any scrutiny or search; but I will say this, I think they had them not from me, I am sure they had not; from whence they had, it is not my business now to discourse, but that they had, is obvious to every man's sense.

What preparations they have made to execute in such a season as they thought fit to take their opportunity from, that I know (not as men know things by conjecture, but) by certain demonstrable knowledge, that they have been (for some time past) furnishing themselves with arms, nothing doubting but that they should have a day for it; and verily believing, that whatsoever their former disappointments were, they should have more done for them by and from our own divisions, than they were able to do for themselves: I do not, and I desire to be understood so, that in all I have to say of this subject, you will take it that I have no reservation in my mind to mingle things of guess and suspicion with things of fact, but the things I am telling are of fact, things of evident demonstration.

These weeds, briars, and thorns, they have been preparing, and have brought their designs to some maturity by the advantages given to them, as aforesaid, from your sitting and proceedings; but by the waking eye that watched over that cause that God will bless, they have been and yet are disappointed. And having mentioned that cause, I say that slighted cause, let me speak a few words in behalf thereof, (though it may seem too long a digression,) whosoever despiseth it, and will say it is *non causa pro causa*, the all-searching eye before mentioned will find out that man, and will judge him as one that regardeth not the works of God nor the operations of his hands, for which God hath threatened that he will cast men down, and not build them up; that because he can dispute, and tell us he knew not where the cause begun, or where it is, but modelleth it according to

his own intellect, and submits not to the appearances of God in the world, therefore he lifts up his heel against God, and mocketh at all his providences, laughing at the observations made up not without reason and the scriptures, but by the quickening and teaching spirit, which gives life to the other, calling such observations *enthusiasms*. Such men, I say, no wonder if they stumble and fall backward, and be broken and snared, and taken by the things of which they are so maliciously and wilfully ignorant. The scriptures say, the rod hath a voice, and he will make himself known by the judgments which he executeth; and do we not think he will and does by the providences of mercy and kindness which he hath for his people, and for their just liberties, whom he loves as the apple of his eye? Doth he not by them manifest himself? And is he not thereby also seen giving kingdoms for them, giving men for them and people for their lives? as it is in the 43d of Isaiah. Is not this as a fair lecture and as clear speaking as anything our dark reason, left to the letter of the scriptures, can collect from them? By this voice has God spoken very loud on the behalf of his people, by judging their enemies in the late war, and restoring them a liberty to worship with the freedom of their consciences, and freedom in their estates and persons when they do so. And thus we have found the cause of God by the works of God, which are the testimony of God, upon which rock whosoever splits shall suffer shipwreck.

But it is our glory, and it is mine, if I have any in the world concerning the interest of those that have an interest in a better world, it is my glory, that I know a cause, which yet we have not lost, but do hope we shall take a little pleasure rather to lose our lives than lose. But you will excuse this long digression.

I say unto you, whilst you have been in the midst of these transactions, that party, that cavalier party, (I could wish some of them had thrust in here to have heard what I say,) the cavalier party have been designing and preparing to put this nation in blood again with a witness; but because I am confident there are none of that sort here, therefore I shall say the less to that: only this I must tell you, 613
that they have been making great preparations of arms, and I do believe will be made evident to you that they have raked out many thousands of arms, even all that this city could afford, for divers months last past.

But it will be said, May we not arm ourselves for the defence of our houses? Will anybody find fault for that? No, for that, the reason of their doing so hath been as explicit and under as clear proof as the fact of doing so, for which I hope, by the justice of the

land, some will in the face of the nation answer it with their lives; and then the business will be pretty well out of doubt.

Banks of money have been framing for these and other such like uses; letters have been issued with privy seals to as great persons as most are in the nation for the advance of moneys, which have been discovered to us by the persons themselves; commissions for regiments of horse and foot, and command of castles, have been likewise given from Charles Stuart since your sitting; and what the general insolences of that party have been, the honest people have been sensible of, and can very well testify.

It hath not been only thus, but as in a quinsy or pleurisy, where the humour fixeth in one part, give it scope it will gather to that place to the hazarding of the whole; and it is natural to do so, till it destroy nature in that person on whomsoever this befalls.

So likewise will those diseases take accidental causes of aggravation of their distemper; and this was that which I did assert, that they have taken accidental causes for the growing and increasing of those distempers, as much as would have been in the natural body, if timely remedy were not applied. And indeed things were come to that pass (in respect of which I shall give you a particular account) that no mortal physician, if the great Physician had not stepped in, could have cured the distemper.

Shall I lay this upon your account or my own? I am sure I can lay it upon God's account, that if he had not stepped in, the disease had been mortal and destructive. And what is all this? Truly I must needs say, a company of men still, like briars and thorns, and worse, if worse can be, of another sort than those before-mentioned to you, have been and yet are endeavouring to put us into blood and into confusion, more desperate and dangerous confusion than England ever yet saw.

And I must say, as when Gideon commanded his son to fall upon Zeba and Zalmunna and slay them, they thought it more noble to die by the hand of a man than of a stripling; which shows there is some contentment in the hand by which a man falls; so is it some satisfaction if a commonwealth must perish, that it perish by men, and not by the hands of persons differing little from beasts; that if it must needs suffer, it should rather suffer from rich men than from poor men, who, as Solomon says, *when they oppress, they leave nothing behind them, but are as sweeping rain.*

Now such as these also are grown up under your shadow. But it will be asked, What have they done? I hope, though they pretend the commonwealth's interest, they have had no encouragement from

you, but that, as before, rather taken it, than that you have administered any cause unto them for so doing, from delays, from hopes that this parliament would not settle, from pamphlets mentioning strange votes and resolves of yours, which I hope did abuse you.

Thus you see, whatever the grounds were, these have been the effects. And thus I have laid these things before you, and others will be easily able to judge how far you are concerned.

And what have these men done? They have also laboured to pervert where they could, and as they could, the honest meaning people of the nation; they have laboured to engage some in the army; and I doubt, that not only they, but some others also very well known to you, have helped in this work of debauching and dividing the army; they have, they have; I would be loath to say, who, where, and how, much more loath to say they were any of your own number; but I can say, endeavours have been to put the army into a distemper, and to feed that which is the worst humour in the army, which though it was not a mastering humour, yet these took their advantage from delay of the settlement and the practices before mentioned, and stopping the pay of the army to run us into free quarter, and to bring us into the inconveniences most to be feared and avoided.

What if I am able to make it appear in fact, that some amongst you have run into the city of London to persuade to petitions and addresses to you for reversing your own votes that you have passed? Whether these practices were in favour of your liberties, or tended to beget hopes of peace and settlement from you; and whether debauching the army in England, as is before expressed, and starving it, and putting it upon free quarter, and occasioning and necessitating the greatest part thereof in Scotland to march into England, leaving the remainder thereof to have their throats cut there, and kindling by the rest a fire in our own bosoms, were for the advantage of affairs here, let the world judge.

This I tell you also, that the correspondency held with the interest of cavaliers by that party of men called *levellers*, and who call themselves *commonwealth's men;* whose declarations were framed to that purpose, and ready to be published at the time of their common rising, whereof we are possessed, and for which we have the confession of themselves now in custody; who confess also they built their hopes upon the assurance they had of the parliament's not agreeing a settlement: whether these humours have not nourished themselves under your boughs, is the subject of my present discourse, and I think I say not amiss if I affirm it to be so.

And I must say it again, that that which hath been their advantage thus to raise disturbance, hath been by the loss of those golden opportunities that God hath put into your hands for settlement; judge you whether these things were thus or no when you first sat down; I am sure things were not thus, there was a very great peace, sedateness throughout these nations, and great expectations of a settlement, which I remembered to you at the beginning of my speech, and hoped that you would have entered upon your business as you found it.

There was a government in the possession of the people, I say a government in the possession of the people for many months, it hath
614 now been exercised near fifteen months; and if it were needful that I should tell you how it came into their possession, and how willingly they received it; how all law and justice were distributed from it in every respect, as to life, liberty, and estate; how it was owned by God as being the dispensation of his providence after twelve years' war, and sealed and witnessed unto by the people; I should but repeat what I said in my last speech made unto you in this place, and therefore I forbear.

When you were entered upon this government, raveling into it, (you know I took no notice what you were doing,) if you had gone upon that foot of account, to have made such good and wholesome provisions for the good of the people of these nations, for the settling of such matters in things of religion as would have upheld and given countenance to a godly ministry, and yet would have given a just liberty to godly men of different judgments, men of the same faith with them that you call the orthodox ministry in England, as it is well known the independents are, and many under the form of baptism, who are sound in the faith, only may perhaps be different in judgment in some lesser matters, yet, as true Christians, both looking at salvation only by faith in the blood of Christ, men professing the fear of God, having recourse to the name of God as to a strong tower; I say you might have had opportunity to have settled peace and quietness amongst all professing godliness, and might have been instrumental, if not to have healed the breaches, yet to have kept the godly of all judgments from running one upon another, and, by keeping them from being overrun by a common enemy, rendered them and these nations both secure, happy, and well satisfied.

Are these things done, or any thing towards them? Is there not yet upon the spirits of men a strange itch? Nothing will satisfy them unless they can put their finger upon their brethren's consciences, to pinch them there. To do this was no part of the contest we had with the common adversary; for religion was not the

thing at the first contested for, but God brought it to that issue at last, and gave it unto us by way of redundancy, and at last it proved to be that which was most dear to us; and wherein consisted this: more than in obtaining that liberty from the tyranny of the bishops to all species of protestants to worship God according to their own light and consciences? For want of which many of our brethren forsook their native countries to seek their bread from strangers, and to live in howling wildernesses; and for which also many that remained here were imprisoned and otherwise abused, and made the scorn of the nation.

Those that were sound in the faith, how proper was it for them to labour for liberty, for a just liberty, that men should not be trampled upon for their consciences? Had not they laboured but lately under the weight of persecutions, and was it fit for them to sit heavy upon others? Is it ingenuous to ask liberty and not to give it? What greater hypocrisy, than for those who were oppressed by the bishops, to become the greatest oppressors themselves so soon as their yoke was removed? I could wish that they who call for liberty now also, had not too much of that spirit if the power were in their hands.

As for profane persons, blasphemers, such as preach sedition, the contentious railers, evil speakers, who seek by evil words to corrupt good manners, persons of loose conversations, punishment from the civil magistrate ought to meet with them; because if these pretend conscience, yet walking disorderly, and not according but contrary to the gospel, and even to natural light, they are judged of all, and their sins being open makes them subjects of the magistrate's sword, who ought not to bear it in vain.

The discipline of the army was such, that a man would not be suffered to remain there of whom we could take notice he was guilty of such practices as these: and therefore how happy would England have been, and you and I, if the Lord had led you on to have settled upon such good accounts as these are, and to have discountenanced such practices as the other, and left men in disputable things free to their own consciences, which was well provided for by the government, and liberty left to provide against what was apparently evil.

Judge you, whether the contesting for things that were provided for by this government hath been profitable expense of time for the good of these nations; by means whereof, you may see, you have wholly elapsed your time, and done just nothing.

I will say this to you in behalf of the long parliament, that had such an expedient as this government been proposed to them, and that they could have seen the cause of God thus provided for, and had by debates been enlightened in the grounds by which the diffi-

culties might have been cleared, and the reason of the whole enforced, the circumstances of time and persons, with the temper and disposition of the people, and affairs both abroad and at home, when it was undertaken, well weighed, (as well as they were thought to love their seats,) I think in my conscience that they would have proceeded in another manner than you have done, and not have exposed things to those difficulties and hazards they now are at, nor given occasion to leave the people so dissettled as now they are, who, I dare say, in the soberest and most judicious part of them, did expect, not a questioning, but a doing things in pursuance of the government, and if I be not misinformed, very many of you came up with this satisfaction, having had time enough to weigh and consider the same.

And when I say, such an expedient as this government is, wherein I dare assert there is a just liberty to the people of God, and the just rights of the people in these nations provided for, I can put the issue thereof upon the clearest reason, whatsoever any go about to suggest to the contrary.

But this not being the time and place of such an averment, for satisfaction's sake herein, enough is said in a book entitled, *A true State of the Case of the Commonwealth, &c.*, published in January 1653, (and for myself, I desire not to keep it an hour longer than I may preserve England in its just rights, and may protect the people of God in such a just liberty of their consciences, as I have already mentioned,) and therefore if this parliament have judged things to be otherwise than as I have stated them, it had been huge friendli-
615 ness between persons that had such a reciprocation, and in so great concernments to the public, for them to have convinced me in what particulars therein my error lay, of which I never yet had a word from you. But if, instead thereof, your time has been spent in setting up somewhat else upon another bottom than this stands, that looks as if a laying grounds of a quarrel had rather been designed, than to give the people settlement: if it be thus, it is well your labours have not arrived to any maturity at all.

This government called you hither, the constitution whereof being so limited, *a single person and a parliament*, and this was thought most agreeable to the general sense of the nation, having had experience enough by trial of other conclusions, judging this most likely to avoid the extremes of monarchy on the one hand, and democracy on the other, and yet not to found *dominium in gratia*. And if so, then certainly to make it more than a notion, it was requisite that it should be as it is in the government, which puts it upon a true and equal balance. It has been already submitted to the judicious honest

people of this nation, whether the balance be not equal; and what their judgment is, is visible by submission to it, by acting upon it, by restraining their trustees from meddling with it; and it neither asks nor needs any better ratification. But when trustees in parliament shall by experience find any evil in any parts of the government, referred by the government itself to the consideration of the protector and parliament, (of which time itself will be the best discoverer,) how can it be reasonably imagined, that a person or persons coming in by election, and standing under such obligations, and so limited, and so necessitated by oath to govern for the people's good, and to make their love, under God, the best underpropping and his best interest to him; how can it, I say, be imagined, that the present or succeeding protectors will refuse to agree to alter any such thing in the government that may be found to be for the good of the people, or to recede from any thing which he might be convinced casts the balance too much to the single person? And although for the present, the keeping up and having in his power the militia seems the most hard, yet if it should be yielded up at such a time as this, when there is as much need to keep this cause by it (which is most evident at this time impugned by all the enemies of it) as there was to get it, what would become of all? Or if it should not be equally placed in him and the parliament, but yielded up at any time, it determines his power, either for doing the good he ought, or hindering parliaments from perpetuating themselves, or from imposing what religions they please on the consciences of men, or what government they please upon the nation, thereby subjecting us to dissettlement in every parliament, and to the desperate consequences thereof; and if the nation shall happen to fall into a blessed peace, how easily and certainly will their charge be taken off and their forces be disbanded; and then where will the danger be to have the militia thus stated?

What if I should say, if there should be a disproportion or disequality as to the power, it is on the other hand; and if this be so, wherein have you had cause to quarrel? What demonstrations have you held forth to settle me to your opinion? Would you had made me so happy as to let me have known your grounds! I have made a free and ingenuous confession of my faith to you, and I could have wished it had been in your hearts to have agreed that some friendly and cordial debates might have been towards mutual conviction. Was there none amongst you to move such a thing? no fitness to listen to it? no desire of a right understanding? If it be not folly in me to listen to town-talk, such things have been proposed and rejected with stiffness and severity once and again. Was it not likely to have been more advantageous to the good of this

nation? I will say this to you for myself, and to that I have my conscience as a thousand witnesses, and I have my comfort and contentment in it, and I have the witness of divers here, that I think truly scorn to own me in a lie, that I would not have been averse to any alteration, of the good of which I might have been convinced, although I could not have agreed to the taking it off the foundation on which it stands, viz. *the acceptation and consent of the people.*

I will not presage what you have been about or doing in all this time, or do I love to make conjectures; but I must tell you this, that as I undertook this government in the simplicity of my heart, and as before God, and to do the part of an honest man, and to be true to the interest which in my conscience is dear to many of you, (though it is not always understood what God in his wisdom may hide from us, as to peace and settlement,) so I can say, that no particular interest either of myself, estate, honour or family, are or have been prevalent with me to this undertaking.

For if you had upon the old government offered to me this one thing, I speak, as thus advised, and before God, as having been to this day of this opinion, and this hath been my constant judgment, well known to many that hear me speak, if this one thing had been inserted, that one thing, that this government should have been and placed in my family hereditary, I would have rejected it; and I could have done no other according to my present conscience and light. I will tell you my reason, though I cannot tell what God will do with me, nor you, nor the nation, for throwing away precious opportunities committed to us.

This hath been my principle, and I liked it when this government came first to be proposed to me, that it puts us off that hereditary way, well looking, that as God had declared what government he had delivered to the Jews, and placed it upon such persons as had been instrumental for the conduct and deliverance of his people; and considering that promise in Isaiah, that God would *give rulers as at the first, and judges as at the beginning;* I did not know but that God might begin, and thought at present with a most unworthy person, yet as to the future, it might be after this manner, and I thought this might usher it in. I am speaking as to my judgment against making it hereditary, to have men chosen for their love to God and to truth and justice, and not to have it hereditary; for as it is in Ecclesiastes, *Who knoweth whether he may beget a fool or wise,* honest or not? whatever they be, they must come in upon that account, because the government is made a patrimony.

And this I do perhaps declare with too much earnestness, as being my own concernment, and know not what place it may have in your

hearts, and of the good people in the nation; but however it be, I 616
have comfort in this my truth and plainness.

I have thus told you my thoughts, which truly I have declared to you in the fear of God, as knowing he will not be mocked, and in the strength of God, as knowing and rejoicing that I am kept in my speaking, especially when I do not form or frame things without the compass of integrity and honesty, that my own conscience gives me not the lie to what I say, and then in what I say I can rejoice.

Now to speak a word or two to you, of that I must profess in the name of the same Lord, and wish that there had been no cause that I should have thus spoken to you; and though I have told you that I came with joy the first time, with some regret the second, that now I speak with most regret of all.

I look upon you, as having among you many persons that I could lay down my life individually for; I could, through the grace of God, desire to lay down my life for you; so far am I from having an unkind or unchristian heart towards you in your particular capacities.

I have that indeed as a work most incumbent upon me, I consulted what might be my duty in such a day as this, casting up all considerations. I must confess, as I told you, that I did think occasionally this nation hath suffered extremely in the respects mentioned, as also in the disappointments of their expectations of that justice that was due to them by your sitting thus long; and what have you brought forth?

I did not nor cannot apprehend what it is, (I would be loath to call it a fate, that were too paganish a word,) but there is something in it that we have not our expectations.

I did think also for myself, that I am like to meet with difficulties, and that this nation will not (as it is fit it should not) be deluded with pretexts of necessity in that great business of raising of money; and were it not that I can make some dilemmas upon which to resolve some things of my conscience, judgment, and actions, I should sink at the very prospect of my encounters: some of them are general, some are more special: supposing this cause or this business must be carried on, either it is of God or of man; if it be of man, I would I had never touched it with a finger; if I had not had a hope fixed in me that this cause and this business is of God, I would many years ago have run from it. If it be of God, he will bear it up. If it be of man, it will tumble, as every thing that hath been of man, since the world began, hath done. And what are all our histories, and other traditions of actions in former times, but God manifesting himself that he hath shaken and tumbled down and trampled

upon every thing that he hath not planted? and as this is, so the all-wise God deal with it.

If this be of human structure and invention, and it be an old plotting and contrivance to bring things to this issue, and that they are not the births of Providence, then they will tumble. But if the Lord take pleasure in England, and if he will do us good, he is able to bear us up; let the difficulties be whatsoever they will, we shall in his strength be able to encounter with them. And I bless God I have been inured to difficulties, and I never found God failing when I trusted in him; I can laugh and sing in my heart when I speak of these things to you or elsewhere. And though some may think it is an hard thing without parliamentary authority to raise money upon this nation, yet I have another argument to the good people of this nation, if they would be safe, and have no better principle; whether they prefer the having of their will, though it be their destruction, rather than comply with things of necessity, that will excuse me; but I should wrong my native country to suppose this.

For I look at the people of these nations as the blessing of the Lord, and they are a people blessed by God. They have been so, and they will be so, by reason of that immortal seed which hath been and is among them, those regenerated ones in the land, of several judgments, who are all the flock of Christ and lambs of Christ, though perhaps under many unruly passions and troubles of spirit, whereby they give disquiet to themselves and others; yet they are not so to God as to us; he is a God of other patience, and he will own the least of truth in the hearts of his people; and the people being the blessing of God, they will not be so angry but they will prefer their safety to their passions, and their real security to forms, when necessity calls for supplies: had they not well been acquainted with this principle, they had never seen this day of gospel-liberty.

But if any man shall object, it is an easy thing to talk of necessities when men create necessities; would not the lord protector make himself great and his family great? doth not he make these necessities? and then he will come upon the people with this argument of necessity.

This were something hard indeed; but I have not yet known what it is to make necessities, whatsoever the judgments or thoughts of men are. And I say this, not only to this assembly, but to the world, that that man liveth not, that can come to me and charge me that I have in these great revolutions made necessities; I challenge even all that fear God; and as God hath said, *My glory I will not*

give unto another; let men take heed, and be twice advised, how they call his revolutions, the things of God, and his working of things from one period to another, how, I say, they call them necessities of men's creation; for by so doing they do vilify and lessen the works of God, and rob him of his glory, which, he hath said, he *will not give unto another*, nor suffer to be taken from him. We know what God did to Herod when he was applauded and did not acknowledge God; and God knoweth what he will do with men when they shall call his revolutions *human designs*, and so detract from his glory, when they have not been forecast, but sudden providences in things, whereby carnal and worldly men are enraged and under, and at which many I fear (some good) have murmured and repined, because disappointed of their mistaken fancies; but still they have been the wise disposings of the Almighty, though instruments have had their passions and frailties; and I think it is an honour to God to acknowledge the necessities to have been of God's imposing, when truly they have been so, as indeed they have, when we take our sin in our actings to ourselves, and much more safe than judge things so contingent, as if there were not a God that ruled the earth.

We know the Lord hath poured this nation from vessel to vessel, till he poured it into your lap, when you came first together; I am confident that it came so into your hands; it was not judged by you 617
to be from counterfeited or feigned necessity, but by Divine providence and dispensation. And this I speak with more earnestness, because I speak for God and not for men; I would have any man to come and tell of the transactions that have been, and of those periods of time wherein God hath made these revolutions, and find where they can fix a feigned necessity.

I could recite particulars, if either my strength would serve me to speak, or yours to hear; if that you would revolve the great hand of God in his great dispensations, you would find that there is scarce a man that fell off at any period of time when God had any work to do, that can give God or his work at this day a good word.

It was, say some, the cunning of the lord protector, (I take it to myself,) it was the craft of such a man, and his plot, that hath brought it about; and, as they say in other countries, there are five or six cunning men in England that have skill, they do all these things. Oh, what blasphemy is this! because men *that are without God in the world*, and walk not with him, and know not what it is to pray or believe, and to receive returns from God, and to be spoken unto by the Spirit of God, who speaks without a written word sometimes, yet according to it: God hath spoken heretofore in divers manners, let him speak as he pleaseth. Hath he not given us

liberty? Nay, is it not our duty to go to the law and to the testimonies, and there we shall find that there have been impressions in extraordinary cases, as well without the written word as with it; and therefore there is no difference in the thing thus asserted from truths generally received, except we will exclude the Spirit, without whose concurrence all other teachings are ineffectual: he doth speak to the hearts and consciences of men, and leadeth them to his law and testimonies, and there he speaks to them, and so gives them double teachings, according to that of Job, *God speaketh once, yea twice;* and that of David, *God hath spoken once, yea twice have I heard this.* Those men that live upon their *mumpsimus* and *sumpsimus*, their masses and service-books, their dead and carnal worship, no marvel if they be strangers to God and the works of God, and to spiritual dispensations: and because they say and believe thus, must we do so too? we in this land have been otherwise instructed, even by the word and works and Spirit of God.

To say that men bring forth these things when God doth them, judge you if God will bear this. I wish that every sober heart, though he hath had temptations upon him of deserting this cause of God, yet may take heed how he provokes and *falls into the hands of the living God* by such blasphemies as these, according to the tenth of the Hebrews, *If we sin wilfully after that we have received the knowledge of the truth, there remains no more sacrifice for sin,* (it was spoken to the Jews that having professed Christ apostatized from him,)—what then? nothing but *a fearful falling into the hands of the living God.*

They that shall attribute to this or that person the contrivances and production of those mighty things God hath wrought in the midst of us, and that they have not been the revolutions of Christ himself, upon whose shoulders the government is laid, they speak against God, and they fall under his hand without a Mediator; that is, if we deny the Spirit of Jesus Christ, the glory of all his works in the world, by which he rules kingdoms and doth administer, and is the rod of his strength, we provoke the Mediator; and he may say, "I will leave you to God, I will not intercede for you, let him tear you to pieces, I will leave thee to fall into God's hands; thou deniest me my sovereignty and power committed to me, I will not intercede nor mediate for thee, thou fallest into the hands of the living God." Therefore whatsoever you may judge men for, and say, This man is cunning and politic and subtle, take heed, again I say, how you judge of his revolutions as the products of men's inventions.

I may be thought to press too much upon this theme, but I pray God it may stick upon your hearts and mine; the worldlyminded

man knows nothing of this, but is a stranger to it, and because of this his atheism and murmurings at instruments, yea, repining at God himself; and no wonder, considering the Lord hath done such things amongst us as have not been known in the world these thousand years, and yet, notwithstanding, is not owned by us.

There is another necessity which you have put upon us and we have not sought; I appeal to God, angels, and men, if I shall raise money according to the articls in the government, which had power to call you hither and did, and instead of seasonable providing for the army, you have laboured to overthrow the government, and the army is now upon free quarter, and you would never so much as let me hear a tittle from you concerning it, where is the fault? has it not been as if you had had a purpose to put this extremity upon us and the nation? I hope this was not in your minds, I am not willing to judge so; but this is the state unto which we are reduced. By the designs of some in the army who are now in custody, it was designed to get as many of them as could, through discontent for want of money, the army being in a barren country, near thirty weeks behind in pay, and upon other specious pretences, to march for England out of Scotland, and in discontent to seize their general there, a faithful and honest man, that so another might head the army, and all this opportunity taken from your delays, whether will this be a thing of feigned necessity? What could it signify but that the army are in discontent already, and we will make them live upon stones, we will make them cast off their governors and discipline? What can be said to this? I list not to unsaddle myself, and put the fault upon others' backs; whether it hath been for the good of England, whilst men have been talking of this thing or the other, and pretending liberty, and a many good words, whether it hath been as it should have been? I am confident you cannot think it has, the nation will not think so. And if the worst should be made of things, I know not what the Cornish men or the Lincolnshire men may think, or other counties, but I believe they will all think they are not safe. A temporary suspension of caring for the greatest liberties and privileges (if it were so, which is denied) would not have been of that damage that the not providing against free quarter hath run the nation upon. And if it be my liberty to walk abroad in the fields, or to take a journey, yet it is not my wisdom to do so when my house is on fire.

I have troubled you with a long speech, and I believe it may not 618
have the same resentment with all that it hath with some: but because that is unknown to me, I shall leave it to God, and conclude with that, that I think myself bound in my duty to God and the

people of these nations, to their safety and good in every respect; I think it my duty to tell you, that it is not for the profit of these nations, nor for common and public good, for you to continue here any longer, and therefore I do declare unto you, *that I do dissolve this parliament.*

February 1654.

1. The protector, who was usually positive in his own judgment and resolutions, having dissolved the parliament, because he found them not so pliable to his purposes as he expected; this caused much discontent in the parliament and others; but he valued it not, esteeming himself above those things. And now he sat close with his council to frame some ordinances, whereby he might sweeten the generality of the people, particularly by taking off some burdens and inconveniences (as they held them) in the proceedings of law, and in other matters.

He was also busy with his council in the examination of a plot discovered, wherein several of the king's party and some of the levelling party were engaged against him and his government; whereof having formerly had some inkling, he affirmed that to have been a chief motive to him for dissolving the late parliament. Divers of the king's party who were in the conspiracy were apprehended and committed to prison, and enough was proved against them.

13. The lord mayor, aldermen, recorder, and sixty of the common-council of London, by the protector's order, came to him to Whitehall, where he acquainted them with the danger of the conspiracy, the conspirators, and what they had discovered; wished them to be careful to preserve the peace of the city, gave them a commission for a committee of militia in London, and to raise forces to be under the command of their old faithful major-general Skippon.

The conspiracy was generally laid to bring in the king; and the design so far took effect, that in several counties small armed parties began to gather into a body. In Shropshire, sir Thomas Harris with a party endeavoured to surprise Shrewsbury-castle, but was prevented, and taken prisoner: others were prevented at Chirke-castle, endeavouring to surprise it; and the like was in other places. This design the protector had a jealousy was countenanced by the parliament, and he gave out that to be a cause of the dissolving of them.

In Scotland, Middleton and others of his party, the principal men, sent proposals to the parliament's commander there, upon which they offered to lay down arms.

The king's party were very active, and had many meetings about Newcastle; some of their letters were intercepted and sent to the protector.

Some Quakers at Hasington in Northumberland coming to the minister on the sabbath-day, and speaking to him, the country people fell upon the Quakers, and almost killed one or two of them; who going out fell on their knees, and prayed God to pardon the people, who knew not what they did; and afterwards speaking to the people, so convinced them of the evil they had done in beating of them, that the country people fell a quarrelling among themselves with those who occasioned it, and beat one another more than they had before beaten the Quakers.

The Brest men of war did much damage to the English merchants in the western seas, which were not well guarded by the States' ships, whereof complaint was made, yet two of them were taken.

A great fire happened in Fleet-street next door to the Red Lion inn, and both houses were burnt.

Letters of several Scots commanders of the king's party taken by the English forces in Scotland.

Major John Wildman was seized upon by a party of major Butler's horse, and carried prisoner from Edninston near Faringtón, where he was taken, unto Chepstow-castle. They found him in his chamber (the door being open) leaning upon his elbow, and dictating to his man, who sat writing by him. They seized the papers, that which the man was writing was sent up to the protector; it was thus entitled and written:

The declaration of the free and well-affected people of England now in arms against the tyrant Oliver Cromwell, esq.

Being satisfied in our judgment and consciences of the present necessity to take up arms for the defence of our native rights and freedoms, which are wholly invaded and swallowed up in the pride and ambition of Oliver Cromwell, who calls himself Lord Protector of England, and hath rendered all Englishmen no better than his vassals, we expect to be branded with the infamous name of rebels and traitors, or to be misrepresented both to the army, city, and

country, as common enemies, disturbers of the public peace, arbitrary cavaliers, levellers, or under some other odious notion that may provoke the army and people to endeavour our destruction; but if we may prevail to be heard before we be condemned and executed, we shall submit our cause and righteous end we seek, to the judgment of the army and every honest Englishman; and if the army itself according to their many engagements will undertake (and their strength be sufficient) to redeem us from our present slavery, and settle that right and freedom, unto which our birth gave us title, we shall readily lay down our present arms.

The whole Christian world knows that our English earth hath been drunk with blood these twelve years through the great contest for right and freedom, and the whole treasure of the nation exhausted in that quarrel; how then can any man, whose hand or heart hath been engaged in that bloody contest, either acquit himself to God, his conscience, or his country, in yielding up tamely and silently all the laws, rights, and liberties of England into an usurper's hand? We have for many years patiently borne all kinds of oppression, arbitrariness, and tyranny, and suffered under such heavy burdens of excise and taxes, as England never knew in former ages, having been fed by him that now calls himself Lord Protector, and his army, with specious pretences and most alluring promises, (seconded with many appeals to God for their integrity of heart in them,) that true English liberty should be settled and secured, im-
619 partial justice provided for, arbitrary powers abolished, and every yoke of oppression broken and every burden eased: and we did believe (as they told us) that our present sufferings were only like a rough stormy passage to the haven of justice, right, and freedom; we could not suspect these ambitious designs in Cromwell and his confederates, that are now proclaimed to the world: we could not think it possible that a man of such a mean quality and estate as he, should aspire to make himself an absolute lord and tyrant over three potent nations; but, above all, his pretended zeal for God and his people, his high professions of godliness, simplicity, and integrity; his hypocritical prayers and days of fasting to seek the Lord; his dissembled humility and meekness, and his frequent compassionate tears upon every occasion: we say, these things, together with his engagements public and private, his most solemn protestations, with imprecations of vengeance upon himself and family if he dissembled, and his most frequent appeals to God for the truth of his professions and declarations, that he designed nothing but securing the liberties of God's people, and administration of impartial justice, and sought no power, honour, riches, or greatness to himself, or any

particular party or interest: we say, these things rocked us so asleep with the pleasant dreams of liberty and justice, until he hath made a sacrifice of all our laws, liberties, and properties unto his own ambition, and now is not afraid to own what he before disclaimed and declared against. He that formerly protested, before the dreadful God, and to the long parliament, that he and his army should be wholly subject to their civil authority, and that whosoever should attempt any violence against them should make his way through his blood; he now owns the breaking them in pieces with scorn and contempt: he that declared so much humility and self-denial, claims and owns a power supreme to parliaments, and exerciseth an absolute dominion over the laws and estates of three nations: he that seemed so zealous for liberty, now dares own every private Englishman his vassal, and their parliaments his slaves: he publisheth in his printed speeches to his parliament, that the benefit all Englishmen have in the execution of any laws amongst them is from him; and the authority that their parliaments have, and shall have, is wholly derived from him: he hath published to the whole world that he hath dissolved all civil government, and that he had in himself an absolute, unlimited, arbitrary power, without check or control, until he put some limits upon himself; if he may be believed in his paper of government. Now what patron in Algier ever claimed more mastery over his slaves bought in the market than this claim of Cromwell extends unto over us? If we have the benefit of the execution of no laws but from him, then all the rights, privileges, and estates we have are enjoyed by his mercy only: without the execution of laws no man hath more right to lands or goods than another; nor is any man's life under any security if another be stronger than he. So that Cromwell owns and professes, that the bread that every man eats is by his mercy: and if his power was without limit (as he says) until he had put some bounds, then it is of his grace and favour only that all Englishmen have now a seeming right in their wives, children, servants, lives, and estates, if his own limits of his power gives any such right, and if he please to throw away (or burn by the hand of the hangman) his limits in his paper of government, who can control him? He may do what he list with things of his own making, it is the old English proverb, *He that can bind can loose:* and he may do what he list also with the authority of parliaments, if it be, as he says, of his own giving. Now wherein doth a patron's power over his purchased slave exceed this which Cromwell owns over us? The patron can but give the slave his laws, his clothes, his meat, his life; and all those Cromwell owns to have

given to us, only he speaks it in such language as sounds not so harshly.

Now after the expense of so much precious Christian blood for the settling the rights and liberties due unto us as men and Christians, when he that was trusted with an army for that purpose hath so unworthily betrayed his trust, spilt innocent blood like water, falsified all his declarations, promises, protestations, and oaths; and assumed to himself such a dominion over our country as is destructive unto all right and liberty, and renders us and our posterities slaves to him and his successors, with the payment of a fifth, or thereabouts, of our estates certain in taxes, to be entailed upon our posterities, besides our burdens; we appeal to the conscience of every honest man, whether a present necessity and an incumbent duty be not upon us to arm ourselves in defence of our ancient laws and dearest birthrights against the present impostor and usurper; and we hope most of the present army have not extinguished their love to their country's freedom, (although Cromwell's hypocritical professions, prayers, and tears have much deluded them,) but that they will readily concur with us and other honest Englishmen in our present attempt by force of arms to redeem our country out of the usurper's hands, and to seek those righteous ends which we do hereby declare to be those for which we now hazard our lives, and with which we shall rest satisfied, and return to our homes in peace; and they are these following; viz.

1. That all assumed and usurped powers and authorities over our country may be utterly abolished.

2. That the government may be settled upon a just basis, with due bounds and limits to every magistrate.

3. That the ancient liberties of England, settled by Magna Charta, the Petition of Right, and other laws, may be secured inviolably: that no man's person may be molested, imprisoned, restrained, or touched, without a legal cause shown in the warrant whereby he is molested or restrained, and that also in a due course of the laws, known proceedings, without countermands from the will of any man; whereas now men's persons are troubled and restrained at will, and destroyed by long imprisonments, no man knows for what. And also, that no man's estate may be liable to any disposal or prejudice but by the known laws of the land and the lawful judgment of his equals.

4. That free successive parliaments may be settled, with times of their beginning and ending, and with their ancient power and privileges.

And that the jurisdictive power which parliaments have taken upon them to exercise in these times of war-distraction, by taking upon them the judgment of particular causes concerning men's persons and estates, sometimes by their committees, and sometimes by themselves, contrary to the known proceedings of the law, that such power (we say) may be declared against, and secure provision made against the same, that thereby parliaments may be free from the temptations of profit, friendship, and all private interests, by which only they can be corrupted. 620

5. That the militia of the nation be so disposed, that no man may be able to be master of parliaments; and also, that secure provision may be made that no parliament shall make itself perpetual, and enslave the people to them.

And that such a settlement may be made of right and freedom, and these our ends obtained, and a peace firmly established, we know no means under God but a truly free parliament.

Now for the defence of these our rights and liberties we are resolved to expose our lives to the utmost hazards, and we shall neither wrong nor oppose any man who doth not join himself to the present usurper to destroy or prevent these our righteous ends; and though we have reason to believe, that no person fearing God, or of conscience, honour, or reason, can satisfy himself to shed our innocent blood for seeking these things; yet, however, we shall commit ourselves and our just cause to the tuition of the righteous God, and hope in his mercy that our endeavours may procure justice, freedom, peace, and settlement unto this distracted nation.

Many who viewed this declaration knew there was too much of truth in it, and had not the design been nipped in the bud, and timely discovered and prevented, it might have caused some disturbance to the protector and to the peace of the new government; but, by the commitment of the chief conspirators, their plot was crushed, and the peace not interrupted. Divers wondered most, that Wildman and others of his party, who had served the parliament, should now join in this design with those of the king's party; but they alleged the strengthening of themselves, and their power afterwards to suppress the cavaliers, or any other who should oppose their ends: but divers suspected their designs at the bottom of it, to intend the bringing in of the king: because they conclude in their declaration for *a truly free parliament*, which was the way for the king's restoration, and that began now to be held fit and requisite by many sober and faithful

patriots, who were distasted at the private ambition of some, and their domineering; and feared the faction daily increasing, that would prevent a firm settlement of our peace.

The protector was jealous of many of his former friends to be this way inclined, and of me in particular; which was thought one main reason of his sending me out of the way to Swedland, and of his not taking me in to be of his council.

March 1654.

The protector and his council were very busy in framing new ordinances to please the people; amongst them, they had
Chancery. one in consideration for regulating the proceedings in chancery; which caused doubtful thoughts in the commissioners of the seal, who knew the authority of that court was designed to be lessened; and they were not consulted in this matter, yet they took no notice of it, but went on in the ordinary course of their proceedings.

Upon the Lord's day, March 11, a party of about two hundred of the new conspirators came into Salisbury at midnight, seized upon many horses, and took away the judge's commissions, (being then in their circuit in that place,) and they marched from thence westward; whereof captain Unton
Crook. Crook having timely intelligence, pursued them with his troops, and at South Molton in Devon overtook them, and after a sharp conflict routed them, took captain Penruddock, Jones, and Grove, and fifty common persons, prisoners; sir Joseph Wagstaff, their chief commander, hardly escaping.

Slingsby. There were other risings in Northumberland and in Yorkshire, of whom sir Henry Slingsby was taken prisoner and
Maleverer. others; and sir Richard Maleverer hardly escaped. Many of the conspirators were tried by a commission of oyer and terminer at Salisbury and Exeter; Mr. James Dewy was clerk to the commissioners, and did some service to sir Henry Moor, sir George Browne, and others, who were of that plot in helping to favour them; for which I suppose they were not ungrateful.

Penruddock. Penruddock and Grove were beheaded; Lucas of Hungerford and others were executed; and the prisons were filled in those parts.

Scotland. Letters from Scotland informed that Middleton was said to be landed there again with new supplies from the king, who was also expected to come thither shortly with a great

force and store of money, and his brother the duke of York to come a little before him. Upon this news former treaties were broken off; and in divers parts new levies began to be made for the king.

The protector and his council published an ordinance, appointing commissioners for approbation of public preachers: Ordinances.

Another, for passing custodies for idiots and lunatics:

Another, for continuing the act for impressing of seamen.

He and his council and officers kept a day of solemn humiliation and fasting, the which was also observed throughout London and Westminster. Fast-day.

Brest men did much mischief to the merchants of Bristol and the weatern parts, who complained thereof.

The parliament's commander in Scotland apprehended divers of the king's party.

The lord mayor and the militia of London attended the protector with their suit to him, to give leave to revive the artillery company in London, for the better exercising of the citizens in arms; and they undertook that none but well-affected persons should be admitted into that company; to which the protector assented. Artillery company.

Letters that colonel Hacker had apprehended several of the conspirators in Nottinghamshire, Leicestershire, and those parts, and kept them all in awe. Conspirators.

Captain Howard had given to him the command of colonel Rich's regiment.

An agent from Portugal brought the ratification of the treaty between England and Portugal. Portugal.

Several examinations were taken about the late risings and plots. 621

The duke of Lenox died at London.

Letters from Scotland that they were in a quiet condition.

The protector, by the advice of one Gage, a minister, who had been long in the West-Indies, set forth a gallant fleet under the command of vice-admiral Pen, with a great party of land soldiers under the command of Venables; many were very eager to engage in this design, being given out in general to be very rich, and that it was for the West-Indies; but it was kept very secret till the fleet had been gone a long time, which arrived at Barbadoes in this month, and the West Indies expedition.

thirtieth day of it set sail from thence, and steered their
Hispaniola. course towards Hispaniola, one of the fairest and richest islands in America, under the king of Spain's dominions;

Who having some inkling of this design, sent the marquis of Leda his ambassador to the protector; and the marquis finding how things went, quickly returned to his master.

April 1655.

Plot. The protector and his council issued many orders for the apprehending of several persons suspected to be in the late plot, and they were brought to Whitehall, and there examined by the protector and secretary Thurloe; some of them were discharged, but more of them were committed.

Colonel Birch and others were secured in Herefordshire, and divers in Northumberland.

Blake. Letters that the Brest pirates took some English ships, and that general Blake was gone from Tunis to Malta to demand satisfaction for some piracies done there upon English-
Cromwell. men. The protector feasted the commissioners for approbation of ministers; he sat at the table with them, and was cheerful and familiar in their company; and by such kind of little caresses he gained much upon many persons.

Sweden. The king of Sweden sent a letter to his highness the
Lauderdale. lord protector in behalf of lord Lauderdale and his brother Laundie.

And the lord Douglas writ to me from Stockholm into England, for the release of his poor kinsman; not doubting but that his highness, as a gracious prince, might be moved to compassion; having no powerful or any opposition at all in any of the three kingdoms. For since it hath pleased the Lord of hosts to bless his actions in such a height, that by his valour his highness has not only subdued superior and all other power that was against him, but also by prudent conduct of affairs hath established himself and these three nations in one peaceable estate, what could that augment to his greatness, to let his goodness and compassion be made known to the world, that he shows upon those whose lives and fortunes he has in his hands.

Upon this letter, and the recommendation from the king of Swedland, I procured favour from the protector to the lord Lauderdale and his brother, and did considerable ser-

vices for them; but when the times altered, they, Scots like, remembered nothing of it, nor ever returned the least kindness or gratitude for all the good offices were done them.

Letters from Scotland of new designs and endeavours of the enemy there to raise forces.

The protector sent letters to the justices of the peace in Yorkshire, and in most counties, for the watching and apprehending suspicious persons as to the new designs on foot against the peace of the commonwealth; and the matter of the letters was carefully executed.

Letters were sent to the lords commissioners of the great seal to attend a committee of the council at the council chamber. They attended accordingly, and were acquainted with this order:

Monday, 23 April, 1655.

At the council at Whitehall.

Ordered, by his highness the lord protector and the council, that the lords commissioners of the great seal do proceed according to the ordinance of his highness and the council, entitled, *An ordinance for the better regulating and limiting the jurisdiction of the high court of chancery*. HENRY SCOBEL, clerk of the council. Chancery.

The chairman told us that this ordinance was made upon good deliberation and advice, and his highness was persuaded that it would much conduce to the public good to have it duly executed, which this order did require, which he delivered to me, and said, his highness did not doubt of our ready compliance therein.

I spake as ancient, and told the committee, that we had not the honour to be advised with upon the making of this ordinance, and that we were under an oath, and as far as we could we should readily comply with the pleasure of his highness and the council, and desired some time to peruse and consider the ordinance. Some debate in general there was about it, and the master of the rolls spake most resolutely against it; the committee would not enter into a debate about it, but gravely admonished us to be careful not to oppose his highness's intentions for the common good; and so they dismissed us.

After this, the commissioners of the seal and the master of the rolls had several meetings and consultations about the execution of this new ordinance; the commissioner Lisle was

wholly for the execution of it; sir Thomas Widdrington, the master of the rolls, and myself, were not satisfied for the execution of it, and declared our reasons against it, and observations of inconveniences in it, which I caused to be set down in writing, and they are as followeth:

Reasons. The commissioners and master of the rolls are by this act of regulation made instrumental to deprive several persons of their freehold without offence or legal trial, which reflecting upon the Great Charter, and so many acts of parliament, they humbly desire they may have the opinion of all the judges of England in point of law therein.

The fourth rule of the ordinance is, that the first process in chancery be a subpœna, which shall be open, and that as many defendants as the plaintiff doth desire be inserted into the same, paying no more but one shilling sixpence for every subpœna thus to be distributed, sixpence for the seal and twelvepence to the office.

Upon serving the subpœna open, the abuse, now too frequently used, will be much increased by forgery of names, persons, and dates.

5. That no subpœna be sued out until a bill be filed, and a certificate thereof be brought unto the subpœna office, under the hand of the chief clerk or his deputy, for which certificate the chief clerk shall receive no fee.

The exhibiting a bill before a subpœna will draw an unnecessary
622 expense and trouble in many suits, which would end upon the bare service of the subpœna, as is found by daily experience; and is mischievous to the people in many particulars ready to be expressed, and only profitable to lawyers and attorneys.

6. That in default of appearance, upon oath made of due service, or in default of answer within due time, (security being put in as is provided,) an attachment with proclamation shall issue to the sheriff, who shall cause the same to be proclaimed at the door of the defendant's dwellinghouse, lodging, or last abode, between ten and two, by the sheriff's bailiffs or special bailiffs; and the bailiffs shall have power for the apprehension of the party (if need shall be) to break open any house or door where the party is in the daytime, provided that if the warrant be to special bailiffs they shall not break up any house or door but in presence of a constable, who upon the showing of such warrant is required to be assisting unto the bailiffs: and if the defendant cannot be

apprehended, nor shall appear by the return of the writ, the plaintiff may return the attachment as often as there shall be cause, which attachment shall be in lieu of a commission of rebellion and sergeant-at-arms.

This seems to advance the jurisdiction of the chancery upon a mean process, beyond an execution at law, to break open not only the party's, but any other person's house, without notice or request made to be admitted; which may be used to the robbing of houses and taking away evidences, and other great abuses; it being far different from the awarding the sergeant-at-arms, who is a known and responsible officer, and acts only by special order in open court, upon satisfaction of the height of the contempt; and his warrant is under the hands and seals of the commissioners, and he is also answerable to them for his miscarriage, if any be: and the other process is issued by clerks of course, which reflects upon the liberty and safety of the people of this nation, wherein every ordinary clerk hath power to do more than all the judges of England; and how safe it is for judges to award such process, is left to consideration.

7. The defendant shall not be compelled to answer, until the plaintiff, with one surety at least, hath acknowledged a recognizance before a master of the chancery in ordinary or extraordinary, (the sum not to be under twenty marks,) conditioned to pay such costs to the defendant in that suit as the court of chancery shall award, if they see cause to award any, for which recognizance he shall be payed twelvepence only, and no more; and such master of the chancery shall for as much certify every such recognizance into the office of the petty-bag in chancery, to be there filed, and the officer there shall give a certificate thereof to the plaintiff or his attorney upon request; and for the filing such recognizances, making certificate, and keeping an alphabet thereof, he shall receive twelve pence and no more, but where the plaintiff shall be admitted *in forma pauperis* there no security is to be required.

By this the defendant is not bound to answer without the plaintiff gives security by recognizance, which will be an encumbrance upon his land so long as that suit endures; which will hinder commerce and disable infants and persons *non compos mentis* to sue, and is of great delay, and five times the former expense, before the suit can have an answer, and the discharging and sueing recognizances will increase motions, suits, and expenses, and if the suits never proceed it will be difficult to have it discharged, and cannot be but by orders,

albeit the parties consent, and the rule itself is uncertain, not expressing to whom the recognizance shall be given, and doth no more than what may be done upon an order for costs, without so much expense, which is only of advantage to lawyers, officers, and clerks.

8. That where a defendant might answer by commission in the country, he shall not now be forced to take a commission, but may answer upon oath before a master of the chancery in the country, in like manner and by such time as if a commission had issued, and that the lords commissioners for the great seal do take care for that purpose there be in every county a convenient number of such of the justices of the peace resident in that county, as they shall judge to be of the greatest ability and integrity, appointed to be masters of the chancery extraordinary, and that such master or any master in ordinary, after the answer so sworn before him, shall sign the same, and give it into court himself, or being sealed up, deliver it to some person to deliver the same into court, and to make oath that he did receive the same from the hand of such masters of the chancery, and that since the receiving thereof the same hath not been opened or altered.

It is very dangerous to rely upon answers as this rule directs; for the defendant may go into any country, and never call any person thereunto that knows him to be the same person.

9. That upon delivering in the answer, the attorney for the defendant do take care that he be provided with names of persons for commissioners to be given by him upon a rule given to rejoin.

It is not possible, until the defendant doth know into what county the plaintiff will take his commission.

10. When an answer is put in, the plaintiff shall reply within eight days, if the answer were in term time, otherwise within four days after the beginning of the next term, unless the plaintiff shall within eight days after the answer come and put in exceptions thereunto, or promise the cause to be set down for hearing on bill, and another to be heard the next term, otherwise the cause to be dismissed without motion, which costs to be taxed by the chief clerk.

This cannot be observed without great mischief that may happen in case where all the defendants have not answered, which may be the loss of a cause; where the plaintiff hath occasion to put in a special replication, it cannot be known to his council or attorney but by

the plaintiff's information; and experience hath found 'great inconvenience to confine the plaintiff to such short time; and it is the cause of many motions to enlarge it, and the execution of this rule is of no advantage to the defendant as is conceived, unless it be to surprise the plaintiff from making the truth of his case appear.

12. That in case the plaintiff think fit to except unto the answer for insufficiency, the plaintiff shall deliver the exception in writing to the defendant's attorney within eight days after the answer filed, and shall enter the cause with the register: and in the same order as they are entered the same shall be heard by the master of the rolls, who shall appoint one or more days in the week for that purpose, and at every sitting shall appoint his next day of sitting, and how many of the said causes shall be then heard upon exceptions, in the same order as they are entered, which days the parties shall attend at their peril. And the master of the rolls upon 623
hearing thereof shall give such costs as be fitting.

This hinders the defendant's liberty to amend his answer without further delay or expense.

13. That if a defendant doth appear and answer insufficiently, and it be so ruled, or shall plead demur, and the same be overruled; then, if upon a rule given he shall not answer within eight days, the plaintiff may proceed in such sort as is before directed in case the defendant had not appeared.

This, together with the sixth article, imposeth upon any person that lives remote, without any notice or default in him, to have his house broke open, or any other house wherein he is, and to be taken in contempt.

14. That after an answer, if it appear at any time to the court that no part of the matter of the plaintiff's bill is then proper for relief in that court, the court shall dismiss the bill with full costs upon a bill to be allowed by the chief clerk; but if some particular part of the bill be thought fit by the court to be proceeded in, the court then shall direct the examination, and proceeding upon that particular point, and the defendant not to be enforced to proceed to examine upon any other matters.

This will create a multitude of actions and expense, and in implicated causes of fraud and trusts will be dangerous to break or cut them off, and to give judgment upon them before a hearing; and is

of no advantage to either side, but what the court may thereby provide for at the hearing, if any thing be unnecessarily examined.

15. The plaintiff, the next day after the supplication filed, or the same day if he will, shall cause a rule to be entered for the defendant to rejoin and join in commission; which if the defendant shall not do within eight days, the plaintiff may take a commission *ex parte*, and the defendant shall have no new commission in that cause.

This will be a means to surprise many persons in their just defence, without any provision against sickness or any other accidents; and if this be enforced as a law, all special rejoinders, for which there may be just cause, are taken away; and it will destroy many a just cause, leave the party remediless, and encourage false dealing.

16. That no witness shall be examined in court but by one of the examiners themselves, but in case of sickness; and that one of the examiners shall examine the witnesses of the plaintiff's party, and the other the witnesses of the defendant's party, if any be produced to be examined in court; and that no clerk of that office shall be a solicitor upon pain of losing his place.

No provision is made but that an examiner being a party must examine his own witnesses or his adversary's.

17. That all commissions for examination of witnesses shall be open.

The same will be in this as in the case of subpœnas, patents, and many more.

19. That commission for examination of witnesses shall take an oath before execution of any commission, to execute the same faithfully and impartially, which each commissioner is empowered to administer to other. And the clerk or clerks attending such commissioners shall take an oath, which is to be administered by the commissioners, to write down the depositions of witnesses truly and indifferently without partiality; and a clause shall be in the commission for that purpose.

The commission is a writ in the register; and it is not mentioned or provided what the form of the oath or clause to be inserted shall be, nor by whom inserted; and if this be extended beyond a rule, and taken for a law, any plaintiff who shall lose his commission shall lose his cause, and so of any other accident, though never so unavoidable.

21. That there shall be no more than two commissions at

the most for examination of witnesses in any one cause to be executed in England or Wales, unless where one shall be suppressed; and in case either party have any witnesses in Scotland or beyond the seas to examine, setting down the names of such witnesses, and delivering them to the attorney of the other side, he may take out a commission within the time before limited, wherein the adverse party may join, if he will, within four days after notice, or otherwise the commission shall issue *ex parte*, provided that the parties, or either of them, (and court see cause,) may have several commissions unto several counties of the same date.

This is mischievous, for the reasons before, and if this be extended beyond a rule, not to be dispensed withal, as reason may require upon accidents, many plaintiffs will lose their causes, especially merchants, who cannot by that time know where their witnesses are.

22. That after the execution of one commission, no second commission shall be taken out but by order of the court, and upon affidavit that some material witnesses, whose names shall be therein expressed, have been discovered since the execution of the former commission, or that some of the witnesses intended to be examined at that commission, and which are material, could not be found, or by reason of sickness, or like just cause, could not attend that commission; in such case only those witnesses which shall be named shall be examined by such second commission, and the same shall issue and be executed at the charge of the party praying the same, unless the other side shall also desire to examine any witnesses by any such second commission, and then he shall likewise set down their names.

This is like as before.

23. That after the return of a commission executed, or witnesses examined in court, there shall be but one rule for publication; within which time, if the other side do not show unto the court good cause to the contrary, publication shall pass, &c.

This rule doth not express after what commission, nor what witnesses, whether all on either side, or not; and will surprise the parties before they can move or be heard by the court why publication should not pass, and increase motions to the advantage of lawyers and solicitors.

24. That from and after the twenty-second of October 1654, no order or direction concerning any cause depending in chancery to be made or given but upon motion in open court, that then both parties concerned or their counsel may be heard.

The rule of the court already being, that no order shall be made upon petition upon the merits or body of the cause, or to control an order in open court; if that be further extended as a law, then many of the suitors of the court may lose their causes and be ruined, and there will be a failure of justice, and great mischief ensue, as by daily experience is found.

27. That no injunction be granted but upon motion in
624 open court, satisfying the court in such matter, which may induce the court in justice to grant the injunction; but the defendant's taking a commission, or sitting an attachment only, shall be no sufficient ground for an injunction.

This is so general that it extends to all injunctions; and so in cases of waste, timber may be felled, houses pulled down, meadows and ancient pastures ploughed up, to the irreparable loss of the plaintiffs and the commonwealth, before an order can be procured to stay, in case the defendants will not answer; and if no injunction be granted upon an attachment or delay of answer, a defendant not worth a penny may stand in contempt, get an execution on the plaintiff's estate, and make it away, and no reparation can be had.

29. That no injunction granted after a plea, pleaded at law, or rules given, shall stop a trial at law, or any pleading or proceeding preparatory to a trial.

It seems much against equity, that if the defendant shall by answer confess the whole debt to be paid, to suffer him to go to trial at law, which will be but a vain expense to the parties, and only profitable to lawyers.

30. That from and after the twenty-second of October 1654 no injunction be granted to stay the mortgagee from his suit at law till the final hearing of the cause; but an injunction may be granted to prevent the mortgagee's pulling down houses, cutting trees, or making other waste or spoil upon the mortgaged lands.

This is very mischievous where there is equity for an injunction in this case as well as upon bonds or other securities, the mischief being greater to the mortgager (who shall be turned out of possession) than to the obliger in a bond, and the mortgagee is also in better condition than the obligee, by reason of his security by land,

and yet the court is not barred to stay proceedings upon bonds, and all other securities, but are restrained in cases of mortgages.

31. That all differences touching irregularities in proceedings, or upon the rates or course of the court, shall be determined by the said chief clerks, or any two of them, on whom the attorneys on both sides are to attend; and in case either side shall not rest satisfied with the judgment therein, they may appeal to the master of the rolls, who, upon hearing the attorneys on both sides, (and the chief clerk who made the certificate,) if he see cause, shall settle the same, and give costs where he finds the fault.

This deprives the commissioners of all power upon the rules and course of the court; and these very rules upon which they are to judge and be answerable as they are judges of that court; and gives power to the chief clerk to be judge even of these rules.

32. All other references shall be determined by the masters of the chancery in ordinary, which shall be only six in number, to be now and from time to time appointed by the protector for the time being; of which six, there shall sit daily at some certain public place three, so long as any references do depend; and shall have a sworn register to attend them, who shall in presence of them and the counsel read the notes taken in each cause upon any order made, or report agreed; and the same being read shall be subscribed by the masters then present, or any two of them; and afterwards the report shall be drawn up by the register, and subscribed by the same masters, and certified; and that after the twenty-second of October 1654 no other person or persons shall exercise the office of a master of the chancery in ordinary.

This seems to give the masters power finally to determine without any appeal to the court, without any provision concerning merchants' accounts, and other references of that nature, which they cannot so properly determine; and concludes the court from making any reference, though the parties desire it; whereby the cause may receive an end by indifferent friends.

38. That from and after the twenty-second of October 1654 every attorney shall keep all and every affidavit, whereupon he shall make forth any writ or process, in his own custody, and shall show the same to the attorney on the other side, and suffer him or other person to take a copy thereof if he shall require it; and that the senior register shall appoint a

clerk of honesty and integrity to attend the court, and at the rolls, and all seals, who shall take an oath before the lord chancellor, keeper or commissioner of the great seal, to be faithful in his employment, and shall receive into his custody all and every affidavit which shall be made in court, or upon which any order shall be grounded, and shall daily file the same, and keep an alphabet thereof; and in case the party at whose instance such affidavit was made shall have cause to have a copy thereof, he shall pay unto the said clerk for the same fourpence for the filing, and threepence for every side for a copy thereof; and the other side, or any other person, desiring it, may also have a copy at the same rate; and the register shall have for examining and signing such copy sixpence, and no more.

It is conceived, by the clerk's keeping the affidavit, it may be in his and his client's power to alter or retract it after it is sworn, as is found by experience hath been done.

40. That all causes shall be set down for hearing in order as they were published, without preferring one cause before another, and shall be presented by the chief clerks, without taking any fee for the same; and the causes being so set down shall be heard in the same order.

This rule is very prejudicial in cases (which are many) that depend upon the lives of the persons, and also of merchants, where one gets the estate of another into his hands, and goes beyond seas; and to deny him a hearing in such cases as occasion shall require, is all one as to deny them justice, if this be enforced as a law; and if cause be to advise with judges, or any other accident, the court cannot put off the cause for half an hour.

41. That every cause shall be heard the same day on which it is set down for hearing; and for that purpose the lords commissioners, if there be cause, shall sit for hearing such causes in the afternoon as well as in the forenoon, except upon Saturdays.

This is impossible to be done; for causes of equity depend upon so many circumstances in cases of frauds and trusts, that three or four days is not sometimes sufficient for the orderly hearing of one cause; and the sitting of the commissioners upon the rolls' days cannot consist, by reason of counsel and solicitors, who cannot do their duty at both places; and if this be imposed as a law upon the judges of that court, they are enjoined thereby to act an impossibility.

The like objections were made to all the rest of the articles and particulars of the new ordinance touching the chancery; which though they could not prevail to stay the execution of it, as to us who seemed to doubt the power that made it, (which the makers would not endure,) yet we were the means that it was not exacted from our successors; but they were connived at in the not execution of it, wherein they could not have satisfied themselves, having taken an oath which they scrupled would be broken, either in the admittance of this ordinance for a law, or, if admitted, in neglecting the performance of any part thereof. 625

May 1655.

1. The protector's commissioners for visiting the universities, colleges, and schools in Scotland, set forth a proclamation, prohibiting ministers to pray for the king, or to excite the people to new troubles, prohibiting all persons from paying any maintenance to such ministers. Visitors.

News of the death of the queen dowager of Sweden, who after she had been long sick of a quartan ague, it was followed by a strong rheum that fell on her breast till she died.

Old Oxenstiern, chancellor of Swedland, was buried, and the king and queen at his funeral.

Letters from vice-admiral Pen, that his fleet was safe at Barbadoes, where they had taken in four or five thousand men, and within few days intended to set sail from thence upon their design. Pen.

Letters of the continuance of the cruel persecution against the poor protestants of Piedmont by the duke of Savoy.

A proclamation published for the execution of the laws against Jesuits and priests, and for conviction of popish recusants; against which I declared my opinion at this time, when there was not a fixed settlement, and so great pretences for liberty of conscience. Jesuits.

Baron Thorpe and judge Newdigate were put out of their places, for not observing the protector's pleasure in all his commands. Judges put out.

This order was sent from the protector and council to the commissioners of the seal:

Tuesday, May 1, 1655. *At the council at Whitehall.*

Forasmuch as the naming and settling of the attorneys in the court of chancery, and the disposing of the records in such manner Chancery.

as is directed by an ordinance of his highness, by and with the consent of his council, entitled, *An ordinance for the better regulating and limiting the jurisdiction of the high court of chancery*, hath been omitted by those who are intrusted with the doing thereof, and that great delay in justice will necessarily fall out, in case all proceedings in chancery should be suspended until all the said officers and records be settled; for prevention thereof, it is ordered by his highness the lord protector, by the advice of his council, that the lords commissioners of the great seal and master of the rolls do proceed in the business of the said court, notwithstanding the said officers have not been nominated and the records disposed of, as by the said ordinance is directed; which his highness and the council expect should be done with all speed by those who are concerned therein; and that in all other things they proceed according to the direction in the said ordinance.

HENRY SCOBEL, clerk of the council.

This order was made to put a further trial upon the commissioners, and a command to execute the new ordinance; and the default in this particular was in the master of the rolls, who was more positive than any other in denying as yet to execute the ordinance; but afterwards, his profit, and fear to offend, overswayed all other considerations.

At one of our meetings, Widdrington, Lenthal, and myself agreed upon this letter to be subscribed by us, and sent to the president of the council:

MY LORD,

We have seriously and duly considered what we received from his highness concerning the execution of the ordinance touching the chancery, and have strictly examined our own judgments and consciences, having with all submission sought to God therein, yet cannot give ourselves satisfaction so as to be free to proceed upon that ordinance; wherefore, and in regard of the near approach of the term, we hold it our duty to represent the same unto his highness, together with the great trouble of our own thoughts, in our unhappiness in this dissatisfaction; and desire the favour from your lordship to acquaint his highness herewith. We remain,

My lord, your lordship's

May 1, 1655. very humble servants,

B. WHITELOCK, T. WIDDRINGTON, W. LENTHAL.

This letter was not delivered to the president of the council till some time after the date of it; the next day we received this order or warrant from the protector:

OLIVER PROTECTOR,

Right trusty and right well-beloved, we greet you well. Whereas by an ordinance entitled, *An ordinance for the better regulating and limiting the jurisdiction of the high court of chancery*, it is among other things ordained, that the masters of the chancery in ordinary shall be only six in number, to be now and from time to time appointed by the lord protector for the time being, we, according to the said ordinance, do appoint William Lenthal, esq., master of the rolls, John Sadler, Nathanael Hubart, Arthur Barnardiston, Thomas St. Nicholas, and Robert Aldworth, esqs. to be the six masters of the chancery in ordinary; and do hereby signify unto you our pleasure, that they be sworn and admitted accordingly. Given at Whitehall this second day of May, 1655.

To our right trusty and right well-beloved sir Bulstrode Whitelocke, knight, sir Thomas Widdrington, knight, and John Lisle, esq., lords commissioners of the great seal of England.

Upon receipt of this warrant we gave the oath to the six masters of the chancery named in the order, it being the old oath; and we proceeded in ordinary business of the court according to the former course.

Letters from Barbadoes of some Dutch ships there trading seized upon by Pen and his fleet ready to sail from thence, but whither, the officers knew not; that they only waited for more stores from London, which were not yet come to them; that Pen had here recruited his men, and sent some forces to the Leeward Islands; that the English here love to trade more with the Dutch than with their countrymen; that Pen and Venables settled in Barbadoes a court by commission to levy what should appear to be owing there to the Dutch, and to make seizures of all Dutch who should trade there; that they were now six thousand landmen, and five thousand seamen, and intended shortly to set sail upon their design. Pen. 626 Barbadoes.

Letters of the duke of Savoy's cruel persecuting the protestants in Piedmont, by taking away their goods and estates, and putting them in prison, and carrying away of their children; using all means with violence to make them forsake their religion and the purity of the gospel; which when they could not do, the priests persuaded the duke to send an army against them to force them to conformity, who sent eight thousand men against these poor quiet people and loyal subjects: the army fell upon them, slew many of them, with small loss, and took many prisoners, whom they used with all Piedmont.

cruelty, and then put them to death. Others of them, with their wives and children, fled unto the mountains, whilst the soldiers plundered their houses, and then fired them and their churches.

A solemn fast was kept throughout London and Westminster.

Chancery. During this Easter term we proceeded in chancery according to the former course of that court, and did not execute the protector's new ordinance, which was informed to him, but he would not disturb us till the term was over; and then he was quick with us for our disobedience.

June 1655.

Divers solicitations were made to me by sundry persons, whose interest lay that way, that I should recant the letter I had subscribed with Widdrington and Lenthal, that I was not satisfied to execute the protector's new ordinance concerning the chancery, and that I would promise to do it, and to conform to his highness's pleasure, and that then I should be continued in the place of commissioner of the great seal, otherwise I must expect to be put out of that good and great office.

I answered them, that no worldly considerations could prevail with me to do any thing contrary to my judgment and conscience, for then I knew I should offend a greater Protector and better Friend than my lord protector could be: that I had taken an oath to execute the place of commissioner of the great seal legally and justly; and for me to execute this ordinance as a law, when I knew that those who made it had no legal power to make a law, could not be justified in conscience, and would be a betraying of the rights of the people of England, and too much countenancing of an illegal authority.

That as long as I should continue a commissioner of the great seal, I would execute that place according to law, and do right to the parties in court, after the best of my judgment and conscience; but to do an illegal act, and to execute such an ordinance, as I knew not to be agreeable to law, and would be an occasion of injustice to many, because I would thereby keep myself in the place of a commissioner, I thought was not according to good conscience nor honesty, and therefore I resolved to give myself satisfaction rather

than any other, and further than this I could not be persuaded.

This order was brought to me.

To the right honourable the lords commissioners of the great seal.

My lords,

I am commanded to signify unto your lordships his highness's and the council's pleasure, that your lordships do attend his highness with the great seal at six of the clock this evening. I am,

my lords,

Your lordships' most humble servant,

Whitehall, June 6, 1655. Henry Scobel.

As soon as this letter came to us, we understood the meaning of it, and attended with the great seal at the time appointed, at the council-chamber, and were after a little waiting called in. The protector gravely told us,

That he was sorry some of us could not satisfy our own consciences to execute the ordinance concerning the chancery, which they were informed had much good in it to the public, but he confessed that every one was to satisfy himself in matters to be performed by him, and that he had not the worse opinion of any man for refusing to do that whereof he was doubtful; but in this particular the affairs of the commonwealth did require a conformity of the officers thereof, and their obedience to authority, and (being some of us refused to execute this act as was enjoined) they were compelled thereby to put this charge of the custody of the great seal into the hands of some others, who might be satisfied that it was their duty to perform this command, and to put the ordinance in execution.

I being the ancientest of the commissioners told his highness,

That our scruple was not upon the authority of his highness and the council, as to the command of all matters concerning the government of the commonwealth, but only as to the effect of this ordinance, to be executed as a law, the which we apprehended (and had formerly given our reasons for it) would be of great prejudice to the public, and would be contrary to what we had formerly by our oath promised; and being yet unsatisfied therein, was the ground of our scruple.

Sir Thomas Widdrington spake somewhat to the same purpose, and then the protector spake to us to lay down the seal, which we did, and then we were desired to withdraw;

and so this great office was voluntarily parted with by us upon terms of conscience only.

And I bless God I never had cause to repent of this action.

People passed their censures upon us as their affections led them; some commended what we had done as a conscientious act; some, of larger principles, blamed us for parting with so great and profitable an employment upon a nice scruple, which probably themselves would have swallowed, although it had been never so great: but they held themselves accountable to none but God for what they did.

Lenthal, who seemed most earnest against the execution of this ordinance, and protested that he would be hanged at the Rolls-gate before he would execute it, yet now when he
627 saw Widdrington and me put out of our places for refusing to do it, he wheeled about, and was as forward as any one to act in the execution of it, and thereby restored himself to their favour.

The protector kept the seal in his own custody for some days, and despatched some business of sealing in his chamber, where the officers attended, till he had resolved upon the persons to whom he afterwards committed the custody of it.

Thus my fortunes and interest decreased; and now my former pretended dear friends and frequent visitors withdrew themselves from me, and began neither to own nor to know me: such is the course of dirty worldlings; but I valued not these loaf friends and hypocrites.

I was advised and encouraged to fall again into my profession, upon which I received many fees; but this course lasted not long, as you will find in the next month.

Lisle. 8. The great seal was thus parted with by me and Widdrington, and June the 15th it was delivered to colonel Fiennes and Mr. Lisle, our late brother, who was for all assays; and these two were commissioners of the great seal; the one of them never had experience in matters of this nature, and the other had as little knowledge in them, till by accompanying us he gained some; and now he carried the business very high and superciliously.

Blake. Letters that general Blake demanding at Tunis reparation for the losses of the English from Turkish pirates, the dey of Tunis answered him with scorn, and bid him behold his castles, whereupon Blake sailed into the harbour within mus-

ket-shot of the castle, and though the shore was planted with great guns, yet he set upon the Turkish ships in the haven, fired nine of them, and came off with great honour.

About the latter end of this month the lord Willoughby of Parham, and the lord Newport, were committed to the Tower upon suspicion of treason.

July 1655.

The protector being good natured, and sensible of his harsh proceedings against me and Widdrington, for keeping to that liberty of conscience which himself held to be every one's right, and that none ought to suffer for it; he now, intending to make some recompense to us, put us in to be commissioners of the treasury, together with colonel Mountague and colonel Sydenham, with whom we had fair quarter, our salary 1000*l.* apiece per annum; and Mr. Sherwyn, an able man in the business of the exchequer, was secretary to the commissioners. Commissioners of the treasury.

Letters from the fleet under general Pen and Venables, whereby the ill success and miscarriage of Venables was ill resented by all, and the protector was much offended at it; and indeed it was indiscreetly managed by Venables, who might have landed his men near Sancto Domingo, from whence the inhabitants fled into the woods, and left a great booty in the town. Venables. Hispaniola.

But Venables landed his men ten leagues westward, who were so tired with a long and hot march, and so sick with it, that the enemy returned upon them and slew major-general Hains, who fought stoutly, and six hundred English, besides those that were slain straggling; and this was done by about sixty of the enemy, who chased the English to their ships.

The rest of this naval army sailed to an island called Jamaica in the West Indies, of which they possessed themselves, where they found a tolerable habitation; and in the beginning of this month major Sedgwick was sent with twelve ships, and colonel Humphreys with his regiment, with supplies to those in Jamaica; so careful was the protector to lose no advantage of what he had got footing in. Jamaica.

Graef Hannibal Sesthead, a lord of Denmark, who had married the king's half sister there, and been viceroy of Norway, but afterwards grew out of favour of his king, came into Denmark.

England to see the protector, and made his applications to me, whom he had been acquainted with in Germany.

I brought him to the protector, and he used him with all courtesy; he dined with him several times, and the protector was much taken with his company, he being a very ingenious man, spake many languages, and English perfectly well, and had been employed in several great charges and embassies; but he was a very debauched person, which when the protector knew, he would not admit him any more into his conversation; and not long after, he departed out of England.

Swedish ambassador.

The Swedish ambassador, graef Bundt, being landed, and making his entry into London, the council made this order:

Friday, July 27, 1655.

At the council at Whitehall.

Ordered, that Mr. Strickland, colonel Montague, and the lord Whitelock, or two of them, be desired to receive the lord ambassador extraordinary from the king of Sweden, and conduct him to his lodgings at the lady Williams's house, to morrow.

Henry Scobel, clerk of the council.

August 1655.

We were full of business in the treasury, part whereof may be seen by this ensuing letter from one of us to the other:

My Lords,

I have moved his highness and the council concerning the money to be disposed of to the treasurers at war, and the council have ordered the treasurers to pay the soldiers that fortnight's pay out of any moneys in their hands; so that if your lordships please to give directions that the 1000*l.* be paid upon the remainder of the seal for 17,000*l.*, and 1000*l.* more upon the 92,000*l.* seal, it will do the work. I am,

Your lordships' humble servant,

E. Montague.

Treasury.

We had a seal from the protector and his council for every great sum, and then the commissioners ordered under their hands the payment of every particular sum accordingly; and all these were entered in our books, so that the state could not be cozened, and we had not the hard ways of the usual course of the exchequer, but yet we did not take off that course as to the constant form of it.

Swedish ambassador.

The last month Strickland and I received the Swedish ambassador at the Tower, by order of the protector, with his

coaches, and near a hundred others, with six horses apiece; and met the ambassador at the water-side; I bid him welcome in the protector's name, and, after ceremonies, took coaches; the ambassador and I, Strickland, the master of the ceremonies, and graef Hohento, a German, and cousin to the king of Sweden, in the protector's chief coach. 628 Reception.

At our first setting forward there was strife between a French ambassador's coach, which he sent with some of his gentlemen to meet the Swedish ambassador, and the Swedish ambassador's own coach, which should go first; the French lackeys and the Swedish lackeys drew their swords, and some slight hurts were given, and a great tumult in the streets; but Strickland and I sent the protector's lackeys to quiet them, with order that the Swedish ambassador's coach should go first, he being present in person, and the other only sent to wait on him; which order was observed. We came by torchlight through London to sir Abraham Williams's house at Westminster, where the ambassador was feasted and entertained nobly at the protector's charge three days. Strickland and I usually dined with him: he asked why I, who was no privy councillor, had the precedency of Strickland, who was a privy councillor? whereas in his country the councillors (who are called *senators*) have precedency of all other subjects of what degree or office soever they be; and the reason was given him, because in his country the councillors are *senatores regni*, here they are only *consiliarii protectoris*, not *regni*.

The third day of his entertainment he had his audience, the protector's coaches, and a great number of other coaches, most of them with six horses, came and took up the ambassador and his company, and those appointed to wait on him, with sir Oliver Flemming, master of the ceremonies, and brought them into the court at Whitehall, where he alighted, and his gentlemen and servants went all bare before him. Audience.

There were of his company five Swedish barons, (the custom of their country being, that every son of a baron hath the title of a baron,) and about thirty other gentlemen of quality, about four pages, and ten lackeys; his other servants made up the number of two hundred persons; generally proper handsome men, and fair-haired; they were all in mourning, (very genteel,) as the ambassador himself was, upon the death of the queen-mother of Sweden.

His people went all bare, two and two before him in order, according to their qualities, the best men last; and next to him the master of the ceremonies next before him, I on his right hand and Strickland on his left hand: they made a handsome show in this equipage, and so went up to the council chamber, where the ambassador reposed himself about a quarter of an hour, and then, word being brought that the protector was ready in the banqueting house, he came down into the court again, and in the same order they went up into the banqueting house. Whitehall court was full of soldiers in good order; the stairs and doors were kept by the protector's guards in their livery coats, with halberts, the rooms and passages in very handsome order; the banqueting house was richly hung with arras, multitudes of gentlemen in it, and of ladies in the galleries. The ambassador's people were all admitted into the room, and made a lane within the rails in the midst of the room. At the upper end, upon a foot-pace and carpet, stood the protector, with a chair of state behind him, and divers of his council and servants about him.

The master of the ceremonies went before the ambassador on the left side; the ambassador in the middle, betwixt me and Strickland, went up in the open lane of the room; as soon as they came within the room, at the lower end of the lane, they put off their hats, the ambassador a little while after the rest, and when he was uncovered the protector also put off his hat, and answered the ambassador's three salutations in his coming up to him, and on the foot-pace they saluted each other as usually friends do, and when the protector put on his hat, the ambassador put on his, as soon as the other.

After a little pause, the ambassador put off his hat, and begun to speak, and then put it on again; and whensoever in his speech he named the king his master, or Sweden, or the protector, or England, he moved his hat, especially if he mentioned any thing of God, or the good of Christendom, he put off his hat very low; and the protector still answered him in the like postures of civility.

The ambassador spake in the Swedish language, and after he had done, being but short, his secretary, Berkman, did interpret it in Latin to this effect:

Ambassador's speech.

That the king of Sweden his master having a very great affection

and respect to his highness, which he had formerly in some sort testified, when a noble person now present was ambassador from your highness to that crown;

His majesty, the king my master, since his coming to the crown, hath ratified the treaty made with your highness, and commanded me to repair hither to salute your highness, which I do with all respect and reverence in his majesty's name, and congratulate the happy access of your highness to the government of this commonwealth, wishing you all prosperity therein.

The king my master hath empowered me to propound unto your highness some other matters in order to the perfecting of some things left to a further determination in that treaty, and to a further and more strict union and alliance between the two nations, tending to the glory of God and to the advantage of the protestant interest in the world, and to the benefit of both nations in point of trade and other interest; which I shall be ready particularly to declare unto your highness, or such as you shall appoint for that purpose.

Many other passages of compliment and civility were in his expressions; and after his interpreter had done, the protector stood still a pretty while, and putting off his hat to the ambassador, with a carriage full of gravity and state, he answered him in English to this effect:

Protector's answer.

My lord ambassador, I have great reason to acknowledge with thankfulness the respects and good affection of the king your master towards this commonwealth and towards myself in particular, whereof I shall always retain a very grateful memory, and shall be ready upon all occasions to manifest the high sense and value I have of his majesty's friendship and alliance.

My lord, you are very welcome into England, and during your abode here you shall find all due regard and respect to be given to your person and to the business about which you come. 629

I am very willing to enter into a nearer and more strict alliance and friendship with the king of Swedland, as that which in my judgment will tend much to the honour and commodity of both nations, and to the general advantage of the protestant interest: I shall nominate some persons to meet and treat with your lordship upon such particulars as you shall communicate to them.

The protector's speech was not interpreted, because the ambassador understood English, and after it was done the ambassador gave copies of his speech in Swedish and in Latin to the protector, and then delivered unto him his credential letters, a copy whereof had been sent to him before: then

the ambassador spake in English to the protector, and after some short compliments between them the ambassador took his leave, returning in the same order as he came, and was by the same company conducted back to his lodgings in Westminster.

The next day the ambassador removed with his family to Dorset-house, which was taken up and furnished for him at his own charge:

Though as to this accommodation I was more kindly dealt with at Upsal.

About the beginning of this month the ambassador was highly feasted and entertained, with most of his followers, by the protector at Hampton-court.

September 1655.

General Pen. General Pen returned to England with a part of the fleet from Jamaica; the greatest part of it stayed behind; and not

Venables. long after him came general Venables, who, upon examination by the protector and council of his management of that affair, was committed to the Tower; but being judged that he failed rather through his imprudence than any ill intent, he was at length released.

The princess royal and her brother the duke of Gloucester went to the king of Scots to Cologne, and they went together to the fair at Franckfort; through every prince's country where they passed, the chief officers of state were sent to compliment them, and the great guns saluted them from their forts; the elector of Mentz entertained them sumptuously three days.

Queen of Sweden. The king, hearing the queen Christiana of Sweden was coming that way in her journey to Italy, sent one of his lords to her to salute her in his name, and to express his desire to wait upon her majesty at what place she would appoint: she named Coningstein, where they met, and had private discourse together, and amongst other things (as the king afterwards related) there was some mention of me and of my embassage in Sweden, wherein the queen spake with high favour and respect of me; and told the king, that in all the conferences that she had with me at that time she never heard me speak a dishonourable word of the king.

Piedmont. The duke of Savoy having committed great cruelties, and a barbarous persecution of the poor protestants in Piedmont,

the protector appointed a solemn day of humiliation to be kept, and a large contribution to be gathered throughout the nation for their relief, which was very well resented by the protestants beyond the seas.

October 1655.

The protector's council in Scotland published a declaration for the election of magistrates there; which was observed: so great a power had he then in Scotland. Scotland.

Notice by a ship arrived in the Isle of Wight from Bilboa, that the embargo continued there upon English goods, and in all Spain; and the English factors were confined to their houses there; and at Malaga the people were in disorder for the loss of their trade with the English. Spain.

The council at Whitehall ordered, that no person presume to publish in print any matter of public news or intelligence without leave and approbation of the secretary of state. News.

Many lords and others prisoners were released, upon security given by them for their peaceable demeanour.

Letters of the success of the Swedes in Poland and Lithuania.

Some bickerings at sea between general Blake's ships and the enemy; but little done: some of them returned home wanting victuals. Blake.

Audience given to the Venetian ambassador.

Some Spanish ships assaulted some of general Blake's fleet, but they came off.

Stop of English ships in Flanders.

A French ship taken that had been fishing at Newfoundland.

Letters of the miseries of the poor protestants in Piedmont.

Orders for accommodations for Mr. Feake and Mr. Rogers, prisoners.

A declaration by the admiral of France for the clearing of all English ships and goods in any ports of France.

Injuries to the English at Dunkirk.

Letters of the state of the island of Jamaica, and of the English forces there.

Order of the protector and council for those that bought delinquents' estates, to pay in forthwith all arrears of the purchase money.

Letters of the Swedes' victory against the Muscovites.

Order of the protector and council against printing unli-

censed and scandalous books and pamphlets, and for regulating of printing.

Orders touching the ministers of Scotland.

The protestant cantons of Switzerland acknowledge the protector's zeal and care for Piedmont.

The Spaniards took an English man of war by treachery.

Proclamation against coiners, and advice that none receive their false money.

Order of the protector and council commanding all that have been of the king's part to depart out of the lines of communication.

Major-generals appointed by the protector and his council in the several counties.

The articles of peace between England and France signed here October 24.

General Pen was released from his imprisonment.

A great question was moved before us at the treasury concerning the descent of lands in the island of Sark, and council heard on both sides by us.

I was the most part of this month very busy in the matters of the treasury, and the commissioners joined with me were civil, and we had not so much difference and private animosities betwixt us as we had when I was in the chan-
630 cery, where the envy and emulation of my colleagues, and their want of experience, was no small trouble to me.

The protector often advised with me in his greatest affairs, and I was faithful in my advice to him, though sometimes it was less pleasing to him than the counsel of some others, who for their private ends would flatter him, and seldom differ from him in judgment; whereof he grew at last sensible: he seldom omitted to advise with me about his foreign affairs, wherein he thought me not unserviceable, and did much follow my counsel therein; and I did often press him to have frequent parliaments, against which he wanted not the counsel of others.

Swedish ambassador.

This month the ambassador was full of expectation that commissioners should be appointed to treat with him; but by reason of the great and unsettled affairs of this nation, and for that the council judged other affairs which they had in hand (though perhaps mistaken) to be of greater consequence than this treaty,

No commissioners were yet appointed, though the ambassador had been several times with the protector, and desired his business might be proceeded in, and was promised that it should.

November 1655.

Letters of the miserable condition of the poor protestants in Dauphine oppressed by the duke of Savoy, and left sick, and without covert, food, or clothing, and many of them dead with cruelty.

A day of thanksgiving in Dublin for their deliverance from the rebels; the courts of justice established there; the soldiers many of them turned planters. Ireland.

One who called himself William Smith, a minister in Cornwall, apprehended for having seven wives together.

General Venables was released from his imprisonment.

The Swedish ambassador had audience.

Letters of reprisal granted to divers English against the Spaniards.

The protector and council appointed a council of trade, to consider how to improve, order, and regulate the trade and navigation of the commonwealth; upon which I received this letter: Committee of trade.

Sir,

His highness, considering of how great importance it is to this nation that the trade and commerce thereof be by all good ways and means advanced and duly regulated, hath by the advice of his council thought fit to appoint a certain number of persons (whose abilities and experience have qualified them to be serviceable to their country herein) to be a committee for trade, empowering them to take into consideration the trade and navigation of this commonwealth, and in what manner and by what ways and means the same may be encouraged, improved, ordered, and regulated. And having named you to be one of that committee, have thought fit to signify the same unto you, to the end you may be present at their first meeting, which is appointed to be on the 27th of this instant November in the painted chamber at Westminster, not doubting of your readiness to join with the rest of the committee in contributing your best assistance to a work so highly tending to the public good.

Signed in the name and by the order of his highness and the council.

Whitehall, the 2d of November, 1655. HEN. LAWRENCE, president.

This was a business of much importance to the commonwealth, and the protector was earnestly set upon it.

New raised forces. A declaration of the protector and his council of the reasons for raising additional standing forces of horse in every county to preserve the peace thereof from the new plots and attempts of the enemies of the commonwealth, upon whom he resolves to put the charge of these new forces, which they have occasioned, and not upon the honest party, who have already so much suffered.

Ireland. Letters from Ireland commending their governor the lord-lieutenant Cromwell, and his countenancing orthodox ministers, and frequenting the public ordinances.

The Swedes had good success in Poland and in Muscovia.

Colonel Harvey committed to the Tower.

The Swedish ambassador had audience, and related to the protector his master's successes.

A paper of the special commissioners for charitable uses read in the churches in London inviting discoveries.

Cracovia was surrendered upon articles to the king of Sweden.

The major-generals and their several commissioners met in several counties to execute their commissions.

The protector and his council referred to sir William Roberts and others the examination of the accounts of colonel Harvey and colonel Langham, upon which they stand committed.

The ratification of the treaty with the king of France returned by monsieur de la Bastile, the king's ambassador, under the king's hand, and then the protector ratified it, and it was sealed with the great seals of both parties.

A declaration for a public fast.

A commission for appointing justices of the peace in Scotland.

Major Rolt arrived in Poland, envoy from the protector to the king of Sweden.

A declaration for a new assessment.

The peace between England and France proclaimed in London.

The French ambassador by invitation dined with the protector.

Swedish ambassador. The Swedish ambassador having often solicited the pro-

tector that commissioners might be appointed to treat with him, and none being yet appointed, he grew somewhat impatient, and the more because none of the grandees would vouchsafe to visit him by reason of a former order of the long parliament prohibiting the conversing with foreign ministers, neither were they willing that the ambassador should come to them; at which he wondered, being so contrary to the practice in his country; only, for the honour of my country, I was frequently with him and he with me.

December 1655.

Instructions published by the protector's council in Scotland for the justices of peace in that kingdom, and for constables; and they order the former great seal and privy seal there to be brought in. Scotland. 631

The tories in Ireland brought in the copy of a letter from queen Christiana to the king of Sweden, of her declaring herself to be of the Roman catholic religion, and some compliments to the king. Queen of Sweden.

Divers ministers sent for by the protector, whom he acquainted with the proposals made by Manasseth Ben Israel the Jew, and referred them to the consideration of the ministers and others. Jews.

A day of fast publicly kept.

The French ambassador went away.

A Brest man of war with commission from the duke of York brought in the queen Christiana's absolution from the church of Rome.

A French man of war sunk by one of the English fleet, the peace not being yet known.

Instructions to the major-generals to take security of all who had been in arms for the king, for their peaceable demeanour and obedience to the protector.

Audience to the envoy of the duke of Brandenburgh.

A conference with Manasseth Ben Israel about admitting the Jewish nation to trade in England. Jews.

The Swedish ambassador had audience.

The protestors in Scotland petitioned with reasons against the power of the civil magistrate in church matters, as contrary to law and scripture.

The queen Christiana of Sweden honourably received at Ferrara.

Additional instructions to the major-generals.

Manning. Letters of Mr. Manning's being put to death by king Charles at Duynwald, for holding correspondence with those in England: he was a servant to sir Edward Hyde, and shot to death.

Ambassador. Audience to the Venetian ambassador.

No commissioners being yet come to the Swedish ambassador, he grew into some high expressions of his sense of the neglect to his master by this delay; which I did endeavour to excuse, and acquainted the protector with it, who thereupon promised to have it mended, and to send suddenly to the ambassador.

Letters from Mr. Meadow to have me peruse the translation of the Swedish treaty made by me, which the secretary of state commanded him to do.

I received this letter from Mr. Strickland, one of the protector's council:

My Lord,

I am commanded to let you know that his highness hath appointed you and some others commissioners to treat with the Swedish ambassador, and that the commissioners intend to meet at his house to-morrow, being the fifth instant, at four o'clock in the afternoon. My lord, this is all I have in charge to acquaint you with, but that I am, my lord,

Whitehall, *Dec.* 5, 1655. Your lordship's humble servant, Wal. Strickland.

January 1655.

An arch-rebel in Ireland taken.

A committee appointed for the business of Piedmont, most of the protector's council were of it.

Orders by the protector's council in Scotland touching delinquents' payment of their fines.

Piedmont. The committee for Piedmont were very careful of the poor protestants there, to send relief to them.

The envoy of the elector of Brandenburgh had private audience with the protector.

Letters of the king of Sweden's prosperous successes.

The major-general and justices of the peace in Shropshire made strict orders for the suppressing of drunkenness and disorders, and of alehouses.

Players taken in Newcastle and whipped for rogues.

The sheriffs of the several counties declared.

Popish books burnt in London.

The king of Sweden had a son born at Stockholm; he was baptized Charles.

Donnah O'Derry, the arch Irish traitor, who had murdered many English, was hanged at Dublin. Irish.

Letters of a gallant action performed by the English in Jamaica against the Spaniards in the Indies. Jamaica.

An agreement made between the king of Sweden and the elector of Brandenburgh.

The lord deputy Fleetwood and colonel Sydenham told me that his highness and the council had appointed them to acquaint me with a business of very great importance; which is, that they, considering the present condition of affairs, did hold it necessary forthwith to send an extraordinary embassy to the king of Swedland, about a business of the greatest consequence and honour that could be, and most conducing to the good of the protestant cause, which was, the uniting of that interest, and preventing the differences that were likely to fall between that king and the United Provinces and the elector of Brandenburgh; for which ends they had thoughts of me and sir Christopher Pack, to go to the king as ambassadors from his highness. Swedish embassy.

I thought I had enough of danger and trouble in my former embassy, without the least reward or acknowledgment of my service therein; but instead thereof, and notwithstanding the success which God gave me, yet at my return home I found neglects and slightings, and was removed from my place of commissioner of the seal, and was 500*l.* out of purse upon my accounts.

These considerations stuck with me, and made me endeavour by all handsome pretences to be excused that service. And when colonel Sydenham spake in commendation of sir Christopher Pack, I replied, that they might send sir Christopher alone, for I did not apprehend a necessity of sending two ambassadors together.

They both to that said, that the intention of sending sir Christopher Pack was to manifest the engagement of the city in this business, and in it to put an honour upon them.

I alleged also, that the king of Sweden's ambassador here might probably conclude upon the business intended, without sending one from hence to him.

The lord deputy said, that the ambassador here had no instructions for it. I told him the ambassador here, I believed, had instructions sufficient, or might have them before ambassadors could go from hence to Sweden: and that to send me now, who had been so lately with the same king, would give an alarm to all the popish princes, and hasten an union
632 amongst them; which would put a disadvantage upon the business that all good men did so much desire might be effected.

The lord deputy answered, that he did believe the business could not be effected here by this ambassador; and that the pope was now at work to unite his interest amongst all the popish princes, and particularly betwixt Spain and France.

To which I said, that the sending of an ambassador hence would hasten that union: whereas if our business might be done with the ambassador here, no notice would be taken of it.

23. Upon discourse with the Swedish ambassador concerning the uniting of the protestant interest, which I had propounded to the protector at a secret audience, he seemed to like it very well, and said, the difficulty would be what to propound in order to it, and where to begin; for it would be a long business to endeavour to bring in all the protestant princes and states together: but I thought the best way would be for the king his master and the protector to join together first, and then to draw in the rest afterwards; and such of them as should refuse to join to be taken as enemies. Which would be quick and resolute, and make the popish princes look about them.

The ambassador also took notice, that he heard of the protector's intentions to send ambassadors from hence to his master about this business; and said, he believed it might be done as effectually and more speedily here as to the general and foundation of it, than by sending to his master: and that when he propounded the business to his highness, he desired to know from him what particulars he thought fit to be taken into consideration in the first place hereupon; and told him, that when he should know his mind therein, he would forthwith send an express to the king to receive his further directions; that he had already given his majesty an account of the business in general, and did expect within a

few days to hear further from him about it, and hoped to receive such further instructions from him as will be for the good carrying on of this great business.

He intimated likewise, that the king might think it a little strange, that whilst his ambassador is here with the protector, the protector should send his ambassadors to the king; which is not usual. He said, that he confessed he had done little since his coming, but it was not his fault; and that it would be now time for him to think of returning.

I answered, that the multitude of our great occasions here had been the only cause of his delay; and the great successes of the king in Poland might give some alteration of affairs, and many things thereupon might fall into consideration touching matter of trade in relation to Poland and Prussia, which at his excellency's coming hither were not thought upon.

This the ambassador acknowledged to be true; and said further, that he hoped within a very few days there would be an agreement between the king and the elector of Brandenburgh, or else that the business would be put to a speedy issue the other way: and then there would be the less occasion of sending from hence to prevent that difference; and that would certainly make the Dutch quiet.

The elector, he said, had received about 15,000*l.* from the Dutch of their money to assist him against the king.

24. Sir Charles Wolsey, of the council, did not approve of the joining sir Christopher Pack with me in this embassy, nor the timing of it; for, he said, he heard the king of Sweden had made an order to desire all foreign public ministers to forbear for a time their coming to his camp; because he was in the midst of his military affairs.

25. The protector sent to me, and earnestly pressed me to undertake the embassy to Sweden; recommending it as a business of the greatest honour, and of the highest concernment to the protestant interest: but upon my discourse and reasons against it, the protector seemed to be moved, and said he would take the business into further consideration with the council.

28. An order of the protector and council, whereby the lord Fiennes, Mr. Strickland, sir Gilbert Pickering, and myself, or any two of us, were appointed commissioners to treat

with the Swedish ambassador; and we were desired to meet at the council chamber with secretary Thurloe, to confer together about the articles.

30. According to order we met at Whitehall, and were told of the ambassador's impatience, that in so long time as since he had given in his articles he could not obtain any answer to them, nor have any commissioners to treat with him. In order thereunto they now perused the articles, and advised together upon them.

31. The ambassador seemed much unsatisfied with divers parts of the articles, and said, that he had no commission to treat of any matter concerning the United Provinces to be included, and was much nettled at that business. In discourse touching a general union of the protestant interest, he said, it would be a difficult work; and for his master's falling upon the emperor, he said, that they in Sweden did not wish it to be so, because they doubted that then Sweden would be neglected. He declared his opinion to be, not to meddle with the great business of the protestant union, nor to have to do with the United Provinces in this or any other treaty: but he said, that they might send to the king his master at their pleasure, and have a fitting answer.

February 1655.

Some gentlemen added to the committee of trade.

Letters of the Swedes' successes in Poland.

Addresses. An address presented from South Wales and Monmouthshire to the protector, recognising him and his government.

An order for continuing the committee of the army published.

Mr. Fell appointed commissioner or chancellor of the duchy of Lancaster, and Mr. Bartholomew Hall continued attorney of the duchy.

Soldiers. One who shot a soldier that was to guard him, being a prisoner, was arraigned at the upper bench, but the jury found him guilty only of manslaughter: the foreman was disabled from being a juror hereafter.

Soldiers in Ireland condemned for robberies: the council there sat about transplanting some of the Irish.

An order of the lord mayor of London for the punishment and suppression of common beggars.

Indians. Letters that the Indians near New England had burnt

many houses of the Dutch, and taken many men, women, and children prisoners; but such as they found to be English they released: the reason thereof was, because the English had been just and kind to them.

Some little stirs in Scotland, the justices there, according to the order of the protector and his council, and after the course in England, proceeded to the administration of justice in Scotland, where it was submitted unto. 633 Scotland.

A Dunkirk man of war taken prize.

The peace ratified betwixt the king of Sweden and the elector of Brandenburgh personally.

Order of the sessions of Middlesex for suppressing disorderly inns and alehouses.

7. The lords commissioners Fiennes, Strickland, and I, went to the Swedish ambassador's house as commissioners from the protector to treat with him, where we had a long debate touching levies of soldiers and hiring of ships in one another's dominions, which had been propounded by the ambassador; and certain cautions put in by the counsel here, as to be only in such places and ports as the chief governor of the country where it was to be done should approve, and not to be employed against the other's friends. Swedish ambassador. Cautions.

Against those cautions the ambassador offered reasons, that it would then be in the power of him in whose country these were to be hired or levied, to make it wholly fruitless, by appointing inconvenient places, as by his master in Finland, or by the protector in Ireland, or the like.

To which we answered, that the chief governor of the country knew best the condition of it, and the state of affairs there, which might be much endamaged, if the stranger should have the appointment of the places; and then if either had a mind to break the treaty, it would not be difficult to find an occasion for it; and that in these cases there must be a mutual confidence in the justice and honour of each other.

After much debate this expedient was propounded, and not held unreasonable, that the chief governor of the country, where the soldiers were to be levied or ships hired, in case he should not think fit to consent to the place desired, he should then appoint some other convenient place for the accommodation of the party desiring it, and as near as might be to the place which he desired. Expedient.

As to the not employing the soldiers or ships against the friends of the party in whose country they were had, it was propounded by the ambassador, and not opposed by us, that the soldiers might be employed defensively, as in garrisons, but not offensively against the others' friends.

But concerning ships, the ambassador insisted upon a liberty to employ them against the other's friends, if those friends attempted any disturbance of the seas or trade of him that hired the ships; and both parties instanced in case of the kings of France or Denmark; but neither instanced in case of the Hollanders, though they were most intended.

This point was left to further consideration, and there were other debates concerning the form of passports for ships, pursuant to the treaty made by me in Sweden, to which they referred it; and also that point of the disturbance of navigation: after long debate, such passports, we held, would occasion deceit, and hardly be so framed as to avoid it.

Dutch ambassador. In discourse with the Dutch ambassador, he was passionate even to indiscretion, blaming the neglect of sending to the king of Sweden from the protector, and urging the necessity of yet doing it speedily. Being asked for what end, he answered, concerning trade, and to prevent the doing of that which would be a hinderance to it, intimating the king's great successes. From the discourse it might plainly be collected, that he laboured to get an ambassador sent from hence to Sweden, chiefly for the advantage of their trade.

Irish. Colonel Nappier being in France, and in good repute there, sent his brother into England to procure leave to transport some Irish from Ireland into the service of France, as a recruit to his regiment there: but the protector was not willing to suffer the Irish to go into the service of France.

Sweden. 9. The Swedish ambassador received new advices from the king his master concerning the great business of uniting the protestant interest, and owned that he had sufficient instructions to conclude upon the general, but that particulars could not so soon be determined, nor so well, as upon the place; that it would be a difficult matter to unite the several protestants, who have different interests, and that it would prove a long business; therefore his opinion was, that it was not a seasonable time for a general union of the protestant interest. But that if the king of Sweden and the protector

made a conjunction first, they might fall upon the emperor and the house of Austria, which would be of great advantage to England, especially now they had war with Spain: and that some supply of money and men afforded to the king upon such a design would be of more benefit to the protector than the sending out of great fleets to the Indies and to the coast of Spain, which would return no benefit to this nation. But it was answered, that notwithstanding the vast expenses of our fleets at this time, yet a war being begun with Spain, it must be maintained, and the war prosecuted with vigour, the people of England being ever contented to bear the burden of their taxes rather than the injuries and insolencies of their enemies.

The opinion of the Swedish ambassador was plainly to be collected, not to admit the Dutch to be joined in a treaty with us; affirming that if we would have the Dutch to be equal with us in point of trade, he thought it the way to overthrow the trade of England; the Dutch being able to sell at under rates, trading with less charge, both for ships, men, and victuals, than the English could; with this, that the king his master did not look upon the duke of Briganza or the king of Portugal, but upon the salt that came from thence; nor upon the king or parliament, or protector of England, but upon the cloth and nation; acknowledging a due civility to whomsoever they found chief in the government. That it was the same reason for the Dutch to follow their trade in the Baltic sea as they might whether the commodities thereof were in the hands of king Cassimere or of his master. It was objected, that if they were all in one hand and power, unreasonable gabels might be required: he answered, that when that was, they might complain; but he believed it would not be at all.

13. Fiennes, Strickland, and I proceeded in the treaty with the Swedish ambassador at his house: we had long debates touching contraband goods, in which list was inserted by the council, corn, hemp, pitch, tar, money, and other things. The ambassador said, that if they would likewise add copper and iron, it would take in all the commodities of his master's dominions, and he might insist upon cloth to be added, which was as necessary for soldiers as corn and money.

We answered, that the particulars added were most useful

for war, especially for our present enemy the Spaniard, and it was our interest to debar him thereof.

634 The ambassador said, that in the enumeration of contraband goods, the present condition of affairs was not to be looked upon, but how they were when the treaty was made with me in Sweden, by which the enumeration was to be made within four months then following; and that as hemp and pitch were necessary for ships of war, so they were also for merchandise, which was not intended to be barred.

Debates. I then gave them an account of the treaty made with me, and how that agreed the enumeration to be, and what debates were in Sweden with me about it, but referred by me to an after enumeration.

It was alleged also, that contraband goods were such as were ready for present use of war, not such as were materials for preparation; and we urged, that we had made the like enumerations in other treaties, and a saving of corn to be no contraband goods, else it had been included; and we said that there was no certainty what goods were or were not contraband but as was agreed by stipulation.

This was referred to a further consideration, and a more full answer to be given to it.

We had likewise debate touching the form of a passport in pursuance of my treaty, at which the commissioners did stick, and offered their objections as formerly they had done, but we could not come near to an agreement. At length the ambassador propounded, that a free ship should make free goods, and free goods a free ship, which was not held unreasonable.

At our parting, the ambassador also propounded to take into consideration at our next meeting the giving of satisfaction for the losses sustained by either part in the late wars between England and Holland; with the rest of the particulars in my treaty referred to a future consideration and treaty, whereof I gave them an account.

Sweden birthday. 20. The Swedish ambassador kept a solemnity this evening for the birth of the young prince of Sweden.

All the glass of the windows of his house, which were very large, being new built, were taken off, and instead thereof painted papers were fitted to the places with the arms of Sweden in it, and inscriptions in great letters testifying the

rejoicing for the birth of the young prince: in the inside of the papers in the rooms were set close to them a very great number of lighted candles, glittering through the painted papers: the arms and colours and writings were plainly to be discerned, and showed glorious in the street: the like was in the staircase, which had the form of a tower.

In the balconies on each side of the house were trumpets, which sounded often seven or eight of them together. The company at supper were the Dutch ambassador, the Portugal and Brandenburgh residents, mynheer Coyett resident for Sweden, the earls of Bedford and Devon, the lords St. John, Ossery, Bruce, Ogleby, and two or three other young lords, the count of Holac a German, the lord George Fleetwood, and a great many knights and gentlemen, besides the ambassador's company.

It was a very great feast, of seven courses: the Swedish ambassador was very courteous to me, but the Dutch and others were reserved towards me, and I as much to them.

25. The Swedish ambassador came to visit me, and told me, that now the business of sending an ambassador from hence to Sweden was over, and there was at present no occasion for it; for this, their reasons, he alleged, were, a peace concluded betwixt the king of Sweden and the elector of Brandenburgh, and the proceeding of the treaty here. Intimating, that he was sufficiently empowered to conclude what was at present requisite between his master and the protector; and that there was no likelihood but there would be also a good understanding between the king of Sweden and the United Provinces. Ambassador.

28. Some of the Swedish ambassador's gentlemen had a little quarrel with two fiddlers in a tavern, and beat them for calling the gentlemen Swedish dogs, and other foul language and ill carriage of the fiddlers, who were drunk; yet alderman Tichburn bound over the gentlemen to the sessions, being apprehended by a constable; and the fiddlers, in actions of battery against one of the gentlemen, had a verdict for 40*l.* damages. The ambassador was highly exasperated at this affront, and, as he called it, breach of the privilege of an ambassador, and complained of it; upon which, his servants had no further trouble: which gave full contentment to the ambassador. Fiddlers.

Ambassador's debates.

29. Fiennes, Strickland, and I went to the Swedish ambassador's house, where we proceeded in the treaty, and had much debate upon the article of restitution, which the ambassador pressed as pursuant to my treaty, and instanced in several cases wherein his master's subjects had received great injury and damage by the capers of England in time of the war betwixt them and the United Provinces.

I acquainted them with my proceedings upon this point in Sweden, that it was there demanded to have restitution made to the Swedes, which I denied upon these grounds:

1. Because such an article would seem to admit a wrong done to the Swedes by the English, and that justice could not be had for the same.

2. Because such injuries were relievable in the ordinary course of justice in England, as in the admiralty court, and upon appeals.

3. Because no restitution could be expected, until the damage and wrong were first made to appear, which could not then and there be done, and was not to be admitted without proof.

At length this expedient was agreed on there, that restitution should be made to either part for damage sustained, and as it is in the article.

Admiralty.

After long debate, and many complaints now made by the ambassador, wherein the admiralty court here was much reflected upon, and the delays and injustice of that court by him opened and not spared, it came to this close:

The ambassador was desired by the commissioners, that his secretary might prepare abstracts of such particular cases as he thought fit to insist upon, to be presented to his highness and the council, who would thereupon cause an examination to be made of the particulars, and would give order that right should be done as the cases should require.

It was now also agreed, that at the next meeting we should proceed to a perusal of all the rest of the matters remaining to be treated on, that after a view of the whole they might come to particular resolutions and agreements.

March 1655.

Major-generals.

The mayor, aldermen, and divers of the common-council of London, being sent for, came to the protector, who told them the reasons of his appointing major-generals in the
635 several counties, as a means to preserve the peace, to suppress wickedness, and to encourage goodness; and having found the

good effects hereof in the counties, he thought fit to appoint major-general Skippon for the same end in the city; and that all care should be had of their immunities and government.

Orders published of the sessions in Middlesex for the punishment of rogues.

Intelligence of the king of Sweden's successes in Poland.

That bishop Goodman of Gloucester died a papist.

A declaration for a fast-day.

Some prizes taken of Ostend.

A soldier that killed a gentleman in Lincoln was sent to gaol.

The queen of Sweden embarked with five thousand new raised foot to carry to her husband into Prussia.

Letters from Scotland of popery increasing there:

From Ireland, of new designs of rebellion; care taken for prevention of both.

The articles of peace published between the protestant and papist cantons of the Switzers.

The plague swept away many thousands of the Irish.

Monsieur Bourdeaux, the French ambassador, arrived in England, March 26.

New commissioners for the customs appointed.

News of the king of Sweden's successes in Prussia and in Poland.

Of the king of Scots' conference with the king of Spain's officers.

Letters from Scotland that all there was quiet.

Mr. Meadow was going for Denmark, agent for the protector.

Fiennes, Strickland, and I went to the Swedish ambassador's house, and proceeded in the treaty with him: the debates were upon matters of trade: the ambassador thought the demands not equal, that the English should pay no greater impositions in the king of Sweden's ports than his own subjects paid; and said that the former articles were reciprocal, and that herein nothing was offered for the Swedes' privilege in the ports of this commonwealth. Swedish ambassador.

We answered, that this being granted to the English would cause them to frequent the king's ports, to bring a great increase of trade thither, to have ships there in a readiness to be hired for his majesty's service if he should have occasion,

and that they were better fitted for war than any other merchants' ships in Europe; and that if his excellency should think fit to propound any thing on the behalf of the Swedes, the same would be taken into due consideration.

The ambassador replied, that neither the English nor any other nation did afford equal privilege to strangers in point of impositions as to their own people, but made a difference as to the persons; only in Sweden the difference was not made as to the persons of Swedes, but as to Swedish ships; whosoever brought any goods in them paid less impositions than others, which was done to increase their shipping, and to prevent the deceit of strangers consigning their goods to Swedes' names, that thereby they might pay the less custom.

I told them that this was the work of the wise old chancellor, whereby they did not only increase their ships, but likewise were provided of mariners for those ships, which was the greatest want in Sweden as to their navigation; and the deceits of strangers vending their goods in Swedes' names were also thereby prevented.

This matter was referred to further consideration, and we proceeded to the demands for settling the trade and privileges of the English merchants in Prussia and Poland; wherein I observed to them the injustice of the sealing the English cloths at Dantzic, and the not confirming of the general pact of Prussia, agreed to be done formerly in relation to the English by the king of Poland, who had not kept his word therein.

The ambassador answered, that his master was but newly master of Poland and Prussia, which he hoped (by the blessing of God) to keep; that he was not master of Dantzic, and probably he may have granted and confirmed to those towns that had submitted to him their ancient privileges; and that he could not grant to the English there any thing contrary to those privileges of the towns which he had confirmed: and this we thought reasonable, and not to be pressed further than might stand with the confirmation of privileges which the king had granted to the towns that were come in to him.

The ambassador then propounded, that the English might have all the trade of Russia brought down the river Volga into Narva, the king of Swede's port upon the Baltic sea, and by that means save the going about to Archangel, which

voyage can be made but once in a year, but to Narva may be made three voyages in a year.

I informed them of much discourse between the old chancellor and his son and me about this matter; and the ambassador having his maps there, I showed them the great difference of the voyage going about by Norway and the frozen sea to the Archangel and going through the Baltic sea to Narva; I showed them likewise that there was a probability of having the Persian silks and commodities from the Caspian sea to the river Volga, and from thence to be brought to Narva, and thereby to save that vast voyage which merchantmen now take of going to Persia the usual way.

But I objected now, as I had done formerly, to the chancellor, that it would be difficult to procure the Russians' commodities to be brought down to Narva, and to satisfy the emperor of Russia that he should be no loser in respect of his customs which he now received at Archangel; and the goods being brought to Narva, the customs would be payable there to the king of Sweden.

To which the chancellor then answered, that the people of Russia would be more willing to bring their commodities to Narva than to Archangel, because it would be done at a less charge almost by the half, and that the emperor would be no loser as to his customs; for the same custom which was now paid at Archangel would be paid at Blesgo, a town of the emperor's, whither the goods must be brought before they came to Narva; and that notwithstanding the payment of custom twice, yet the commodities would be afforded at easier rates than they are at Archangel, by reason of the cheapness and conveniency of bringing them to Narva.

All this was agreed unto by the ambassador, who inserted a story of a Dutchman, who observing the boats passing upon the Volga to be manned with three hundred men in a boat, who in a storm and high wind held the bottom of the sails down, this Dutchman offered to the emperor that he would 636
show him a way how with thirty men in a boat they should be as well manned as now they were with three hundred men in a boat, and so the charge to be lessened; but the emperor called him knave, and asked him, if a boat that now went with three hundred men were brought to go but with thirty

men, how then should the other two hundred and seventy men get their living?

After a long debate upon this and the other particulars of the treaty, they were deferred unto a more full answer upon further consideration and a new meeting.

5. The commissioners were summoned to meet at Whitehall with Thurloe, to look over together the several matters which had been treated on with the Swedish ambassador, and to consider how far it was fit to go on to an agreement, and wherein not to consent, that so we might come to some conclusion with the ambassador.

The lord mayor, aldermen, and common-council of London were with the protector.

11. The commissioners were with the Swedish ambassador, and most of the articles, for levies of men, and hiring of ships, and for the passports, and contraband goods, were near agreed between us: the articles for trade and restitution for damages in the time of war between England and Holland were not concluded, but deferred to another time: in the mean while the matters agreed upon were ordered to be drawn up in form.

13. The Swedish ambassador did very earnestly press that his business might be brought to a conclusion, because he had long attended, and the king his master grew very impatient of his long stay here, and had commanded his return, and looked upon the neglect to his servant as reflecting upon his own honour. The delay was excused, and some occasion of it alleged to be the lord Fiennes's absence, who was gone into the country.

31. The council voted, that pitch, tar, hemp, and flax should be taken as contraband goods during the war betwixt us and Spain.

In case the treaty here with the Swedish ambassador came to a good conclusion, the lord George Fleetwood had commissions to levy for the king of Sweden two thousand men more than the four thousand already granted, and designed to form those two thousand into two regiments, and to be colonel of both those regiments himself.

The commissioners of the treasury had a constant weekly account of all the receipts and disbursements of that great revenue, which being so often taken, made it the more easy,

and gave them the more opportunity of ordering the same to the best advantage of the commonwealth; and as they received this account from the officers under them, so they gave information to the protector how it was from time to time with their advice concerning the same.

April 1656.

Letters of great appearances of the country at the assizes, and that the gentlemen of greatest quality served of the grand juries; which is fit to be observed.

Mr. Rolt, whom the protector sent an envoy to the king of Sweden, returned from him from Poland.

Order for letters to be written from the protector and council to the judges to be sparing in granting prohibitions to the admiralty, and others to the judges of the admiralty not to entertain any suits in their courts belonging to the jurisdiction of the common law. Prohibitions.

I was against these letters, and advised rather to confer with the judges about it, who being upon their oaths must observe them; and justice ought to run in a free and legal course.

Letters of the Scots full of compliance with the government established there by the protector, which was more conformity than ever they yielded to any before. Scots.

Order by the protector and council for the founding and endowing of a college at Durham out of the dean and prebends' lands there. Durham.

Some were apprehended and imprisoned by warrant from the protector for being engaged in a duel.

The preacher in Whitehall chapel was disturbed in his sermon by a Quaker, whom the protector ordered to be carried to a justice of peace, to be proceeded with according to law. Quaker.

One pretending a message to him from God for that end, denounced his judgments against the protector and his council, and against all sorts of people, cavaliers and others.

Order, that the corporation of host-men in Newcastle do permit the trade of coals till their complaints may be heard and determined.

Letters that the king of Scots had been at Brussels in consultation with the Spanish officers.

Order to call to account all officers and receivers of the

public revenue, which was upon a report from the commissioners of the treasury.

The queen of Sweden embarked at Colmar to go to her husband in Poland.

Intelligence that some of the Plate fleet were got home into Spain.

A solemn day of thanksgiving in Dublin for the preservation of that city from the rebels.

Letters of a Quaker in Colchester who starved himself to death upon a presumption that he could fast forty days.

Letters of some new plots in Scotland.

The protector and his council kept a day of private fasting, and seeking God for a blessing upon their affairs.

The Swedish ambassador had been at Whitehall, and was much discontented because he waited above an hour before the protector came to him, which brought the ambassador to such impatience, that he rose from his seat and was going home again without speaking with the protector; and said, that he durst not for his head admit of such dishonour to his master, by making him so often and so long to attend for his audience.

But sir Oliver Fleming, the master of the ceremonies, did earnestly interpose with his persuasions, and prevailed with the ambassador to stay a little longer, and went himself to the protector, and plainly told him how unfit it was, and how ill taken, to put the ambassador to such attendance, and brought him to the ambassador. In the discourse between the protector and the ambassador, when the matter of a nearer alliance was mentioned, his highness answered, that he was willing in case of a nearer alliance, or of an union concerning the protestant interest, to have our neighbours and allies the Low Countries included therein; and that he thought it did become him to have a particular care of them,
637 and to take them into any such treaty or alliance, and that he was not willing to do any such thing without them.

These expressions of his highness did a little startle the ambassador.

It was afterwards offered to his highness's judgment, whether it were not fit, in all things that might stand with our interest, to give contentment to the king of Sweden, being a wise and potent prince, and God having given him great successes, and that the Dutch, being greatly for their own in-

terest, as well as other states, in case there should not be a nearer alliance betwixt us and Sweden, might possibly slip in, and make a nearer alliance betwixt themselves and Sweden, without taking much care to have us included therein.

The protector sent to the Swedish ambassador to excuse his long stay before he had his audience, and to assure him that there was not the least intention of reflecting upon the king's honour, or of any disrespect to him, but only the omission of the protector's servants in their duty; wherein care should be taken for the future, and that it should be amended; and that his highness had a very great affection for the ambassador's person, and as great a respect for the king his master as for any prince in Christendom. With this the ambassador seemed fully satisfied, and desired to return his service to the protector and his most humble thanks.

But yet the ambassador was very much troubled, apprehending that at his last audience his highness's mind was somewhat altered from what it seemed to be formerly, and that now there was nothing to be done without the Dutch.

He much wondered why the protector should seem so forward heretofore for a nearer alliance and conjunction with his master, and now seemed to be more cold in that matter, and wished that he might have known his mind at first, for he had already given the king an account of the protector's willingness to have a nearer alliance to his majesty, who thereupon had dressed his counsels accordingly; and now he must acquaint the king that he perceived his highness's mind to be changed as to that point, which would cause the king very much to marvel, and would put him to inconveniences:

That in his country, when a man professed sincerity, they understood it to be plain and clear dealing; that if one were desired to do a thing, if he meant to do it, he would say yea, and do it accordingly; but if he did not intend to do it, then he would at the first desire to be excused, and not seem at one time to be willing to it, and at another time to deny it:

That if the protector had not the same inclinations as formerly for the great cause, and for a nearer alliance with his master, he must be contented; that yet he hoped the matters left to be done upon my treaty might be despatched, and he be enabled to return to his master speedily, as he was com-

manded; that he should have been contented, if he might have had the honour to have laid the foundation of that great business for the glory of God, to unite the protestant interest; and the particulars thereof to have been left to a new treaty with the king, by an ambassador from the protector, when there might be full time to consider all grounds and circumstances thereof.

The ambassador was told that the protector's inclinations were the same now as at first, in relation to a new union with the king of Sweden, and to that great and common interest of the protestants, for the glory of God; which no prince did more desire to promote than the protector did; but the reason why he would have the Dutch included in that near alliance was because of the treaty which he had formerly made with them, and which he was careful not to infringe, as he was obliged in honour and justice.

The ambassador replied, that in case England should not enter into a nearer union with Sweden, perhaps the Dutch would provide for themselves, and presently make a nearer alliance with the king of Sweden, without taking much care to have the protector included with them if they could get advantage by leaving him out; which matter of advantage the Dutch very well like: that they were now upon very good terms with his master, and he did not believe they had any designs against him or to the Baltic sea; that he had good intelligence from Holland, and it was true that they were equipping twenty-eight ships of war.

But he said, he could not imagine that they should be intended for the Baltic sea, because five or six men of war would serve as well for a convoy for their merchants that way as twenty-eight; and if they should have any design against the king of Sweden, they had no port to friend them; for the king of Denmark would do nothing to displease the king of Sweden, and all the ports round the Baltic were now his, except one or two of small consideration, and that his ports were well guarded; therefore he could not believe that they had any design that way. But he offered to consideration, whether, now that the English fleets were almost all of them sent abroad to other parts, that our neighbours of Holland, who were not all of them yet our friends, might not have some design this way.

4. Letters that prince Adolphus, the king of Sweden's brother, broke his leg in a fight.

5. Fiennes, Strickland, and I met by order at Whitehall, to confer about the Swedish treaty: we perused the vote of the council, that hemp and flax, and pitch and tar, shall be accounted by that treaty contraband goods during the war between us and Spain. I said, with submission to the council, I wished that this vote had not been passed, because I believed it might tend to a hinderance of a good conclusion of the treaty with the Swedish ambassador, and doubted that he would not consent to it; and that it seemed to be a departing from what we as commissioners had formerly done, in being inclinable to wave it; and they thought it best not to carry this vote to the ambassador till the council were further advised with about it, who perhaps would not insist upon it; and in the mean time I was to go to the ambassador to excuse the delay, which was to the end to give him the better satisfaction; which his highness agreed to, and ordered me to go to the ambassador, and to discourse with him about the protestant union, and appointing commissioners for restitution of damages, and other points.

7. According to the direction from his highness, I went this morning to the Swedish ambassador, and delivered to him what I was directed from the protector, as much to his highness's advantage as I could improve it; and endeavoured to satisfy the ambassador that his highness's intentions and inclinations, as to a nearer alliance with the king of Sweden, were the same still as at first, and that he had a very good inclination to it, and was really desirous of it.

The ambassador answered, that perhaps his highness had no great mind at the first to a nearer alliance with the king 638
of Sweden, and so might have the same intentions still: that he could not but wonder that his highness should heretofore express himself so well inclined to that nearer alliance, and at his last audience to be so cold in it, and of another opinion than he was before; which would make him seem to his master either negligent as to his service, or not at all thought worthy of regard here; but he desired to know a certain answer, I or no, whether he would do it or not; and if he had no mind to it, that then there might be a despatch of what

was left to be done upon the treaty made by me, and so he might kiss the protector's hand and return to his master.

I, seeing him in such a humour of discontent, sought to divert him, and to satisfy him that the protector was still very well inclined to the point of a nearer alliance with the king of Sweden, but found it difficult to make him to be of that persuasion: yet thought fit to demand of him what those propositions were which he delivered to the protector concerning the nearer alliance. Whereupon the ambassador showed me the propositions he had delivered in to that purpose, which were, to have a league defensive *contra omnes gentes*, and offensive as to the maintenance of the treaty of Augsburgh; that the protector should contribute 200,000*l.* per annum to that design when undertaken; and the king would have thirty thousand foot and six thousand horse in service upon it. I asked why his excellency put the business upon maintenance of the treaty of Augsburgh, whereto England was no party; and why rather it might not be against the house of Austria, whereof the emperor was one branch and the king of Spain another; and said, as to the contributing of money, he knew the protector was not in a condition at this time to spare money, having such vast occasions of expense at present for maintenance of his navy, and by occasion of the war with Spain. The ambassador replied, that he did believe the protector was at present in no condition to part with much money, and that there would be some time before this design could be set on foot, by which time probably the protector might be better able to spare money than now he is; and that he thought it would be better husbandry for England to spare 200,000*l.* a year for this war, which would be a good diversion, and trouble the king of Spain more than we do by spending two millions a year upon our fleets and in sending to Jamaica. That it was true the treaty of Augsburgh was not concerning the English nation, but the protestants of Germany were highly concerned in it, and consequently of all Christendom; and the emperor having broken that treaty in many points, there was a just ground thereby of falling upon him; and the reason why he mentioned the maintenance of that treaty was, because France was already obliged in a treaty with Sweden for the

maintenance of the treaty of Augsburgh; and England joining likewise therein, France would be engaged with them, and that crown was a good balance. Whereas if the union with the king of Sweden should be against the house of Austria and the king of Spain, it would cause the peace which was so much endeavoured between France and Spain to be brought to effect; and France would hardly be brought into such an union against the house of Austria, because it would seem as too much against the papists in general, wherein France would be shy to join.

I made a doubt what great advantage would be to England by the king of Sweden's falling upon the emperor, which would but little concern the war between us and Spain, as to give us advantage thereby against Spain. To which the ambassador alleged, that Spain was so much concerned in any thing relating to the emperor, that he must support him to support himself; and whosoever fell upon the emperor made Spain his enemy, and hindered from him the supplies which he constantly had, especially of men, out of Germany, and did necessitate Spain to a charge of supplying and assisting the emperor; whereby would be caused a diversion of great advantage to England; and Spain once appearing (as undoubtedly they would) for the emperor, Sweden and they presently became enemies; and all the commodities of the king of Sweden, which were of necessary use to Spain, would be restrained from them, without which they could not subsist; and that there would be no need of specifying pitch and tar and hemp to be contraband goods.

I replied, that Germany was a great distance from England within the land, and we could have nothing to do with them by sea; that if the emperor should be set upon by the king of Sweden, probably Spain would assist him; but so covertly and craftily, that Sweden nor England could take public notice or advantage thereof; that in case the king of Sweden should travel towards Flanders, that would make the king of Spain look about him indeed.

To this the ambassador said only, that there was a large country to pass over before they could come to Flanders; but that in time something might be done: he said, that France had gained well by that treaty of Augsburgh, and so

had all countries that had been in alliance with the crown of Sweden.

I said, that he was sufficiently satisfied of the honour and justice of that crown in those public transactions, and that the protector was as careful to preserve his own honour and the faith of the nation in those treaties which he had made with other princes and states, and that was the reason which caused him to be so careful that the Dutch might be included in such treaties as he should make with others, because there was an article to that purpose in the late treaty made with them, which he was careful to observe as all other treaties; and that might the more satisfy the ambassador of a just performance of what was or should be agreed upon with his master. To which the ambassador replied, that he did believe as much; but was of opinion that the article which was mentioned in the late Dutch treaty did not restrain the protector from making the nearer alliance with Sweden without them; but when it should be made, then they were by that article to be admitted into such new treaty if they pleased. And thereupon they read over together that article of the Dutch treaty which seemed to carry the sense that was observed by the ambassador; who said further, that there was no intention of excluding the Dutch or the king of Denmark, or any other protestants, out of this intended union, but that they should be admitted and invited into it; and he believed
639 they would be the sooner brought into it if they first saw Sweden and England joined together; whereas, to have a general meeting and treaty first, would be very difficult, if not impossible to be effected; that several interests would draw several ways; but if they saw the king of Sweden and the protector once conjoined, it would be the strongest argument in the world to persuade the rest into the same union, and such as would oppose ought to be taken for enemies; that the king of Denmark was now upon a treaty with the king of Sweden, whom he would not disturb; and had not yet concluded by reason of England, desiring first to hear from the protector about it: that the emperor had now no fear of the king of Sweden's troubling him, as might appear by his sending at this time fifteen thousand men into Flanders for the king of Spain. Which body of men he would not have now

sent out of his own country if he had doubted the king of Sweden's falling upon him; and that no prince in Christendom had offered the espousing of the protector's interest as his master had done; which deserved to be regarded by him.

I answered, that the same was much regarded by the protector, and deservedly, and that no nation in Europe was of so much consideration to the king of Sweden as England, especially in regard of their men and ships; although they had not money to spare at this time, it was not because of any poverty of the nation, but by reason of their present and extraordinary occasion of great expenses about their public affairs, especially of their navy, whereby the strength of the nation was increased.

We had likewise discourse concerning commissioners, to be appointed on each part, to consider of damages sustained in the last war with the Dutch, and to give just restitution.

Wherein I proposed, that it might be convenient for those commissioners to have likewise a power, if any ships on either part were brought in, to examine the matter speedily; and if any wrong were done, to award satisfaction, and cause the party that had done it to make amends, and the admiralty court (of which his excellency had so much complained) not to be troubled with those matters, but in cases of difficulty, or matters of law, which could not well be determined by the commissioners.

This the ambassador seemed to like well, and said he would consider of it. We had much other discourse of passes and contraband goods, and other particulars of the present treaty, wherein the ambassador held himself to the same grounds he had formerly insisted on.

In the afternoon I came to Whitehall, to have given an account of this discourse to the protector, but he was gone abroad, and thereupon I found out the lord Fiennes in the lobby by the council-chamber, who sent for Mr. Secretary Thurloe, and we three had a long discourse and debate together about this business.

I told them that I had excused to the ambassador the commissioners' not coming to him on Saturday as they intended, and gave them a full and clear account of the discourse between the ambassador and me in the morning. And desired them to observe, that the king of Sweden was willing

to take in with the protector's particular interest, as well as with the interest of our nation; and I thought nothing more considerable, as to the security thereof, and of the present government, than a conjunction with Sweden: that the Dutch had not the like affection thereunto, but most of them were enemies in heart to the protector, and did but watch for an occasion to show it: that their present preparations of a fleet of thirty-eight men of war were not to be slighted, especially when the emperor had sent fifteen thousand men into Flanders; that they were at present friends with our enemies of Spain, and if an opportunity should be offered now, when we had few ships of war at home, whereby they might bring a considerable advantage to themselves, they would be apt enough to lay hold on it.

And I did advise, as a thing (in my judgment, at the distance I stood) most fit, not to send away the Swedish ambassador with any just cause of discontent to him and his master, but to comply with him, as far as stood with their own judgments, and with the interest of our nation; wherein both of them seemed to agree, and the lord Fiennes more inclinable to the particulars of satisfaction than the other. And concerning pitch and tar and hemp and flax to be contraband goods during the war with Spain, the secretary held it reasonable, but I differed from him therein, especially because at the time when contraband goods were to be agreed upon and specified, we had then no war with Spain; and they were the great commodities of the king of Sweden: the secretary said, that though he should be restrained from carrying or vending them to Spain, yet he might to any other nation, and there would be beside vent enough for them. Which I observed as an argument for the contrary, because other nations would certainly supply Spain therewith, although the Swedes were forbid to carry them. The secretary replied, that in whose ships soever they were taken they should be prize; I answered, that the Lubeckers, Hamburghers, and Dutch would pretend to be bound for Lisbon, and then when they were past our search would carry them into Spain. This the secretary laid hold on as an argument against the passes; and I answered, that it would not be more or less by reason of passes, but I thought it just that the form of passes should be agreed on, because it was so with

other nations, and the thing agreed on by the treaty formerly made.

The lord Fiennes said, that they had it in their power to agree on no other form but what should signify little or nothing to the Swedes' advantage: which I said would not be honourable for them to do; and I thought more advantage to come to the English by those passes than to the Swedes, because the English did so much exceed them in number of merchants' ships: to which the secretary said, that they would be of use to us only in the Baltic sea, but to the Swedes in all their voyages southwards.

Upon the same reason we were of opinion against that proposition, that a free ship should make free goods, which the secretary said would increase their ships exceedingly, and other nations would sell or build them ships to colour the carrying of contraband goods to our enemies.

I answered, that greater advantage would be to us than to them at present; but that we could not carry goods to their enemies, Poland now having no harbour at all, and in Germany the emperor hath none at any time; but for what might 640
fall out hereafter, no judgment could be now given.

We had debates upon several other particulars to the like effect, as is here before set down.

8. The former commissioners went in the afternoon to the Swedish ambassador's house, where Mr. Jessop, one of the clerks of the council, by their direction, read the new articles in English as they were drawn up according to the last resolves of the council: after they were read, the ambassador said, that he desired to be excused if he should mistake any thing of the sense of them, they being in English, which he could not so well understand as if they had been in Latin, which they must be put into in conclusion; but he did observe on the sudden, amongst other things, that the specification of contraband goods did contain in it pitch and tar, hemp, flax, and sails; these were the great commodities of his master's countries, and to be restrained from a trade with them to Spain or anywhere else would be of very dangerous consequence to his master: that they were never yet in any treaty made with Sweden allowed as contraband goods, and if they should be now allowed so, it would be to the extraordinary prejudice of the crown of Sweden; and if allowed in

this treaty with England, then other nations would expect the like: and that in the treaty with the lord Whitelocke at Upsal it would by no means be hearkened unto, as he very well knew; and he did see a paper which was given to mynheer Boneale, the king's commissioner here, of contraband goods, wherein these particular goods were not inserted; and that he did think the king would be very hardly drawn to consent to any such thing.

The lord Fiennes answered, that the articles were brought in English for the saving of time, and they should be put in Latin when his excellency should desire; that concerning the specifying these goods to be contraband, it was upon a great debate of the council, who could not satisfy themselves but that it was fit to be insisted upon during our war with Spain; and there could be nothing of greater advantage to our enemy, or prejudice to us, than by furnishing him with those goods which were of so necessary a use for his supply; and without which he could not carry on his war against us, which was a naval war; and therefore the council thought it reasonable to hinder him from those supplies as much as might be, and that in case the king of Sweden should have any thing to do with the emperor, that it would be his advantage likewise not to afford those supplies unto the king of Spain, who had want of nothing more than of those commodities.

I said, that at Upsal, when mention was made by me of those commodities to be contraband goods, both the old chancellor and his son the now chancellor would by no means debate on that point, saying, it was not to be mentioned; which was one of the reasons why I thought fit to refer the specifying of them to the council here, and said, that I was of the committee of parliament who treated with mynheer Boneale, and it was true that in the list of contraband goods given in to him these commodities were not expressed, nor was any mention to the contrary; but the council of state, whereof I was then a member, did reserve that particular to their own judgments; and that if they took any ships whatsoever carrying such goods to the Dutch, their enemies at that time, they did make bold to bring them in, and to prevent that supply to their enemies.

The ambassador said, that surely if the then council had

been of opinion that such goods were contraband goods, they would not have omitted them out of the list given to the king of Sweden's commissioners; and said, that cloth was necessary for the soldiers of every army, yet if he should insist upon cloth to be contraband goods, that none should be carried to the king of Poland's army, or to any of his enemies, he did believe, that it being the great commodity of England, that we should hardly be drawn to consent unto it; and the same occasion was for pitch and tar and hemp, being the great commodities of his country.

The lord Fiennes answered, that cloth was no weapon for soldiers to offend withal, nor could be made use of for that purpose; that corn was as necessary and other victual for the soldiers as clothing, and yet we had not specified that to be contraband goods no more than cloth; that he never saw the list delivered to mynheer Boneale, and therefore could say nothing to it, but now we were upon a particular agreement what goods should be said to be contraband goods, and if we did permit these commodities to be free, the council were of opinion that it would be much to our prejudice in this war with Spain.

Mynheer Coyett then spake in Latin, that pitch, tar, and hemp were not in their own nature nor by the law of nations esteemed contraband goods; and that they were of use for men in civil things, and other uses which were not military, but for the well-being of men, and were also useful for merchandising as well as for ships of war, and therefore not to be accounted nor ever were esteemed contraband goods.

The lord Strickland said, that guns were also useful to kill birds, and yet were esteemed always to be contraband goods.

I answered mynheer Coyett in Latin, that I did not know of any law of nations at all, properly so called, and binding universally; but that certain things were generally admitted and received by most nations, and particularly relating to treaties, to merchandise, to matters of war, and to sea-affairs; that I had not found or heard of any law which did define contraband goods, nor any that naturally might be called such; but that they were to be esteemed such or not according to particular stipulations. That the word *contraband* came of the old French word *ban*, which signifies *an edict*, or *procla-*

mation, as *ban, arriereban;* and contraband is as much as to say, *contra edictum, vel proclamationem*, which is agreed upon by the nations concerned, and according as their interest leads them upon the occasion presented; and I thought that these commodities could not so properly be termed contraband or not of their own nature, but the denomination must be given by agreement, and not otherwise.

The lord Fiennes said, that certainly contraband goods were only such as were agreed to be so; and that sometimes a nation
641 in war with another would by public proclamation forbid the bringing of such goods as they thought fit to be forbidden to be brought to their enemies; and that in our late wars with the Dutch they did by public proclamation forbid the bringing of these and other commodities to England, and did seize upon them if they found any bringing hither to us; and if we should permit these commodities to be carried by the Swedes to Spain, the Dutch would expect the like liberty, and so our enemy would be supplied by our consent.

The ambassador said, it was true that the Dutch did make such a proclamation as is remembered in the time of our war with them, but that no nation did ever acknowledge the same to be binding, and that the Swedes at that time, in spite of their proclamation, did bring those commodities into England, and supplied us in our greatest want of them; and that it would be hard now to restrain the people of Sweden from trading to Spain or elsewhere, with those commodities which were never heretofore reputed contraband goods.

I said, that I had formerly perused most of the treaties which England had made, and had three books manuscript of treaties and transactions between England and Sweden, and between England and Denmark, and other northern parts, which the old chancellor had looked into with much delight; that I could not charge my memory with particulars of those treaties, because since my service was not held useful in matters of that nature I had wholly laid them and the thoughts of them aside; but that I did much forget, if in some of those, especially with Denmark, pitch and tar and hemp were not enumerated among the contraband goods; and if his excellency thought it might be of ill consequence to be now put into the treaty there might be a private article for that only.

The ambassador said, that if there should be a private article for it, yet all the people of Sweden must know it, and be forbid the carrying of those commodities, and possibly they might be named contraband goods in a treaty with Denmark, because they had little of those commodities in their country.

I said, that they had great store of fir in Norway, and wheresoever was fir they might make pitch and tar.

The ambassador said, they might make it in Norway, but the country was so mountainous, that it could not be carried to any port to be transported abroad; and that in this business he did believe, though these commodities were not taken to be contraband goods, yet such course would be taken that our enemies should not be supplied with them from the ports of the king of Sweden, where only they were to be had, especially hemp out of Livonia and those parts; and that he knew no other expedient in this business but what he had privately said to my lord protector.

The lord Fiennes said, that we were tied up to insist as we did upon the treaty, and if his excellency had proposed any thing to his highness by way of expedient, that he might be pleased to speak with him again about it, and he hoped that a good issue would come of it.

There was also a debate at this time concerning passes; the ambassador saying, that he observed nothing to be mentioned of them in that which was read.

The lord Fiennes said, that the council had had it in debate, and did find much difficulty to agree upon a form of passes, but that the same would be liable to be counterfeited, and much prejudice thereby to England, especially in this time of our war with Spain; that they had thought of another way, which they desired might be propounded to his excellency, that the commissioners which were to be appointed for restitution of damages might also be empowered, that when any ship were brought in, to examine whether she had any prohibited goods or not; and if any injury or damage were done to the party so brought in, that those commissioners should have power forthwith to award restitution and satisfaction out of his estate that did the wrong; and if he had not estate sufficient, then the commonwealth to make satisfaction, and not to have proceedings in the admiralty court, but only in

matters of law or of great difficulty; and this was apprehended to be the best way for avoiding deceits in counterfeiting passes, and colouring of prohibited goods, and the readiest means to obtain satisfaction where any injury should be done.

The ambassador said, that the lord Whitelocke knew it was much insisted upon at Upsal that there should be passes, and the form should have been agreed upon within four months; that it was impossible to avoid former wrongs, and such usage as had been heretofore, without passes; and that although some might counterfeit hands, yet they could not counterfeit seals; and if any were taken that did counterfeit, let them be hanged; and for commissioners, they could not tell how to judge but by the passes, and they must have rules to go by.

The lord Fiennes said, that there were many that could counterfeit seals as well as hands; and that the seal of the council itself here had been counterfeited; that he believed after some few examples made for bringing in ships without cause, and sound damages given, that very few would be troubled, nor any adventure but upon just ground to hinder any ship in her voyage; and that some commissioners might reside at Dover, and another set of them at Plymouth, and so in convenient ports in the king of Sweden's dominions, that no ship should be brought far out of her way, and have a speedy despatch; and three commissioners being English and three other Swedes, there could be no doubt but that justice would be done to each party.

I acknowledged that the passes were much insisted upon at Upsal, and that I was very glad I had not there agreed upon a form, seeing the council here did find it so difficult a matter; that I was there acquainted with many complaints against the proceedings in the court of admiralty here, and that I thought no way better to prevent the like complaints hereafter than by having such commissioners of both parts as was mentioned by the lord Fiennes.

Strickland said, that if we agreed to passes for the Swedish ships, that the Dutch would expect the like, and that would bring great inconveniences to this nation.

Mynheer Coyett said, that it would be impossible to preserve terms of amity, and to prevent doing of injuries, unless

passes were agreed upon; and that it was so with other nations, and he did not comprehend the inconveniences of it. 642

The ambassador said, that the case was not the same to the Dutch as to the Swede, because these were the native commodities of the king his master's territories, as cloth was of England; and that the Dutch had little store of any commodities of their own country; that there had been too much cause of complaint against the proceedings in the admiralty court of England, and he thought that such commissioners might be some means to prevent the like cause of complaints for the future; that he desired a copy of those articles now debated, and if they pleased, that he might have it in Latin, which he would consider of, and return a more particular answer at the next meeting.

This was promised to be sent to him within a day or two; and after some discourses upon other parts of the articles, as concerning levies of soldiers, and hiring of ships of war, and of their resort into each other's ports, and some other particulars, wherein there was not much debate nor disagreement, but only upon the great questions, which is before at large related, we came away.

To his highness the lord protector of England, Scotland, and Ireland,

The humble petition of Jacob Momma of London, merchant.

That your petitioner not above nine months last past hath used the trade by himself and his agents of making latin wire and black latin of all sorts out of copper; a trade of much advantage to this commonwealth, whereby many hundreds of poor people may be set on work, and the brass which is tinned out of the copper by melting is increased, above a third part in weight exceeding the copper out of which it is made; the improvement whereof is very useful in this nation for casting of ordnance. Copper manufacture.

But so it is, may it please your highness, that your petitioner beginning his said trade, the king of Sweden, out of whose dominions the copper is brought, for encouragement of the makers of brass, latin wire, and all sorts of black latin, and for keeping the management of that trade within his own country, hath lately raised his customs there, upon copper from thence exported, from 7*s.* to about 27*s.* sterling per hundred weight; whereas not above 3*s.* sterling per hundred weight is paid there for latin wire, and all sorts of black latin thence exported, which will not only be the destruction of your petitioner's said trade, but also the ruin of several families

which have dependance on your petitioner in the managing thereof, if some speedy remedy be not taken therein.

Now for that your petitioner's said trade is chiefly carried on by the use of a native commodity called *calamy*, without which copper cannot be turned into brass, which is altogether otherwise useless; and that the said calamy may prove a staple commodity in this commonwealth, which will never be wanting therein;

His humble suit therefore is, that your highness would please to be a means that the custom upon all sorts of black latin and latin wire imported from any parts into this commonwealth may be raised as in your highness's wisdom shall be thought most fit, and proportionable to the late raised rates in Sweden upon copper exported thence, whereby your petitioner may receive encouragement to proceed in the management of his said trade.

And he shall pray, &c.

His highness is pleased to refer this petition to the committee for trade. JO. THURLOE.

Jan. 15, 1655.

15. His highness having referred this petition to the committee for trade, they ordered me to attend them; and they inquired the reason of the enhancing the impositions upon copper in Sweden, and what course might be found out to reduce that imposition to the former rate, and to keep up the manufacture of latin wire here.

I told them that I supposed the reason of enhancing the imposition by the king of Sweden upon his copper was his extraordinary occasions for money, especially in this time of his wars; and that he was a free prince, who might lay what impositions he did think fit upon the commodities of his own country:

That for the reducement of those impositions to the former or any lower rates than they were at now, I knew no way but either upon the present treaty with the Swedish ambassador here to see what might be done by way of ascertaining those and other impositions, or by buying up all the copper at certain rates to be agreed upon:

That it had been usual in former times upon treaties between England and Spain, and with France and other nations, that the state here did agree what impositions should be paid by the English upon the commodities which they brought from those countries, and thereby trade was much encouraged, the merchant was upon a certainty for payment

of his customs beyond seas, and the state here, knowing what the merchant was to pay beyond seas, (as particularly for wines,) did thereupon use to set the prices upon wines here.

And concerning the buying up of the copper of Sweden, I told them it would be, in my poor judgment, of very great advantage to England if it might be compassed upon reasonable terms; and that it might be compassed, I had the more reason to believe, because that myself had some conference about it when I was ambassador in Sweden with some there; and since with some of the Swedish ambassador's company here, and did perceive them inclinable to such a bargain, and they had heretofore made such a contract with the city of Lubeck in Germany, who gained great wealth thereby; for they became sole merchants of the copper, and had the manufacture likewise within themselves of making it into brass, and of the commodities made thereof, which they vended at their own prices in all parts of Christendom, and some of them they vended back again into Sweden itself. That the late king Gustavus Adolphus, finding the inconvenience and loss to Sweden hereby, would not permit the Lubeckers to enlarge their time of that contract, but got the manufacture of brass within themselves, and vended their own copper to the several merchants who resorted thither for it.

That England hath a great advantage herein more than other countries, by reason of *lapis calaminaris* here, by which the copper is turned into brass; and that there is not in any country of Europe so great store of that mineral as here; that he knew of none but in Bohemia, which was so great a journey by land to any port, that it would hardly quit the cost of the carriage of it.

That in case England could have the sole vending of copper 643
and brass, they might make their own rates of it, they might furnish themselves and whom else they pleased, and none other, with brass ordnance, which are of far better use, especially for shipping, than those of iron; that it would bring the manufacture of latin wire and all other manufactures of brass solely amongst us, and be of great consequence, both as to matter of profit and of security to us.

I told them further, that I had some thoughts myself of being a merchant for it, if I could have procured others of value to have joined with me therein; but they found great

difficulties for particular persons to go through with such a business without the state, especially in relation to the casting of ordnance.

That I had acquainted some of the council with this business, as a matter fit for my lord protector and the state's consideration, but I found that their leisure would not admit them to think further upon it, and therefore having made known my own poor judgment therein, as I perceived did become my duty, and nothing being thought fit to be done in it, I submitted to the judgment of others, who I supposed knew the business or the reasons of public matters better than myself; but now having received the commands of this committee to attend them in a business which had relation to that matter of the copper, I thought it my duty to represent my thoughts at large to them, to whose consideration I conceived it to be very proper.

Some of the committee asked me what quantity of copper might belong to the king of Sweden and what to his subjects, and what payments might be expected for it, and what the terms might be in a contract for all their copper.

I answered, that the king of Sweden had the propriety, in right of his crown, of the most part of the great mountains where the copper mines were; that all the copper digged out of those mountains, whereof the soil or royalty belonged unto him, was his majesty's particular goods; that of all the copper belonging to any of his subjects, and digged out of their particular mines, in their several grounds and soil, yet a tenth of all that is paid unto the king; and by a late composition for customs, impositions, and other duties, they have agreed to pay a fifteenth or thereabouts, of all the remainder to the king; so that a very little quantity remains but what is in his majesty's dispose, and the quantity of the whole I guessed might come to about 250,000*l.* or 300,000*l.* yearly in value, or thereabouts, as I could guess.

That the way there is to make their carriages in wintertime by sleds upon the ice, the summer being so hot that they cannot travel, nor their cattle work, and the frost so strong that the ways are then best; and then they bring all the copper to the port-towns, where it lies ready for the ships by the spring, when the ice is gone, and that they can come into those seas; that I was told they would expect one

half of the money to be agreed upon before the copper were taken into ships when it was ready for them, and the other half of the money at the arrival of the ships here; and would be contented to take bills or the payment of the money at Hamburgh or Lubeck, or some of those towns not far from the Baltic: but what conditions they would now expect I knew not, the business having slept for some time. The committee generally expressed themselves with great approbation of the proposition of buying all the copper, saying, they never heard anything more to the honour and profit of the nation than this seemed to be: they desired me to write down both the propositions, which I then did.

17. Bishop Usher, the late archbishop of Armagh, was this day buried in Westminster-abbey: 200*l.* was given by the protector to bear the charges of his funeral. Usher's funeral.

18. The committee of trade sat in the morning, and unanimously voted the two propositions, and that the same should be drawn up in form of a report from the committee to his highness, to be presented to him this afternoon; and I was voted to present it to the protector, and the gentlemen of the committee desired to accompany me with the vote to the court in the afternoon.

Accordingly I met at the place appointed this afternoon, and found there all the members of the committee who had been present at the debate, about fourteen or fifteen, ready to go with me to the protector, which was a greater number than had been observed to attend the like occasion before.

When we were come to Whitehall, we were sent for into the protector's bedchamber: after we were all entered, I told him that those gentlemen and myself, members of his highness's committee of trade, were commanded by that committee humbly to present to his highness a report from them, upon a reference which he was pleased to make to that committee of the petition of one Momma, which was annexed to the report, and I offered to read the report, but my lord protector took it and read it himself, and then said, "My lord Whitelocke, you are one of the commissioners to treat with the Swedish ambassador, and therefore I hope you will take care of that particular of your report in the treaty with the ambassador; and as to the buying of the Swedish copper, the council shall be acquainted with that proposition, who will

take it into their consideration, and advise with some of the committee of trade about it, and do therein what they shall find to be convenient;" that it seemed to be a business of concernment, and would require good advice and deliberation.

I took occasion from the protector's words to acquaint him with the great concernment of the business in relation to this nation, and to the trade thereof, and to the increase of manufactures of copper and brass, which by this means would be solely in England, and also in relation to our safety; for hereby we should much increase our brass ordnance, which were of great consideration as to his highness's navy, and as to the furnishing of such of our neighbours only therewith as we should think fit.

As to manufacture, that no nation in Europe had such conveniences for it as England, by reason of the great quantities of *lapis calaminaris* here, which was not found in other parts of Europe, except some quantity in Bohemia, which by reason of the long and chargeable carriage of it by land did discourage the merchants from meddling with it, but the transportation of the copper by sea was very convenient; and the *lapis calaminaris* at home made it very commodious for this nation, more than for any other.

I likewise informed his highness of the former contract of the city of Lubeck and the passages thereof, with the other
644 particulars concerning this matter, which had been before mentioned at the committee.

His highness seemed very much satisfied with this discourse, and said again to me, that I should take the care of it in the treaty, and himself would acquaint the council with it; and so we came away.

The copy of the report here followeth:

April 1656.

Friday 18*th of April* 1656. *At the committee for trade and navigation.*

In pursuance of your highness' reference of the 15th of January 1655, whereby the humble petition of Jacob Momma of London, merchant, is referred to this committee, we having taken the said petition into our consideration, do humbly present and certify unto your highness our advice thereupon, viz.

First, that in the present treaty with the Swedish ambassador,

there may be consideration had of the imposition upon copper in Sweden, and lately greatly enhanced there, viz. from 7*s.* to about 27*s.* in the hundred weight, (as we are informed,) to the utter destruction of the manufactures of latin wire, and other manufactures of copper and brass here; and that in the present treaty the imposition may be moderated and ascertained, which being likewise done for other commodities, in this and other treaties, will tend very much to the advancement of the trade of this commonwealth.

Secondly, that his highness be moved to take into consideration the buying up of all the copper of Sweden at certain rates, and upon certain propositions to be agreed upon between his highness and the king of Sweden, which was in proposition with the late English ambassador there; and in case his highness shall not think it expedient for the state to be engaged in that bargain, that he would be pleased to give encouragement to particular persons or companies to proceed therein; which may be a great advantage to this nation.

28. Letters of the king of Sweden's death in Poland, but counterfeit, and afterwards confuted.

May 1656.

3. This day the protector gave the honour of knighthood to mynheer Coyett, the king of Sweden's resident here, who was now sir Peter Coyett, and gave him a fair jewel with his highness's picture, and a rich gold chain; it cost about 400*l.*

The lord general Fleetwood told me that I had some enemies at court, who were willing to keep me from being of the council: the objections they had against me were two: first, that in the treaty which I made with the crown of Sweden I had consented unto passes for ships, which the council here said would be very inconvenient for our affairs, especially now that we had war with Spain; and that I had consented to the specification of contraband goods, which would also be very inconvenient in relation to our war with Spain; and the other objection against me was, that I was a lawyer; and they would show that the counsels might be carried on without the wisdom of lawyers, which would but trouble and interrupt their proceedings, by telling them what was law upon every occasion, and their affairs would not permit to tie up themselves to those rules of law.

I answered, that as to the matter of passes, it was in my judgment reasonable and fit, and such as was between other nations; and the form left to the council to be here agreed

on, which they might make as strict as they pleased; and though we had now war with Spain, yet we had none with them when this article was made; nor could it be divined at Upsal that we should have war with Spain two years after this article agreed on; but if it were thought inconvenient, why then was it confirmed amongst the rest by the protector and his council, and that not suddenly, but after a strict and near disquisition and examination, by a committee of the council, of every article of the treaty, and comparing them with the powers and instructions given to me when I went ambassador: and that committee having made report to the council, that they found nothing done by me contrary unto, but pursuant and according to the instructions given me, and to the advantage of the state,

The council and the protector confirmed unanimously the treaty by me made at Upsal, and afterward his highness sent an express envoy, namely, his own kinsman, Mr. Rolle, with the ratification of this treaty under the great seal of England, to his majesty the king of Sweden; and now, after two years, there falls out a war between Spain and England, begun by us, which was in our power to have forborne, and one or two articles in the treaty made so long before may prove inconvenient as to this war, this will not be found, by indifferent men, any objection of much weight against the treaty, nor cause to lay blame upon the ambassador who made it.

The article of contraband goods is upon the same grounds to be excused as that of passes, alike left to the council to specify the particulars; and after an examination alike confirmed; with this, that seldom any treaty is made without the specification of them, and the late council of state did give in a paper unto mynheer Boneale, the queen of Sweden's commissioner here, specifying contraband goods in the time of our war with the Low Countries, which was a precedent and warrant for me to do the like.

As to the second objection, concerning my being a lawyer, I said, I accounted my profession my greatest honour, and that it did not make me the less capable of serving my country, as the late long parliament thought, by whom I was constantly elected to be of the council; and former ages had the like good opinion of my profession; but if the present age were wiser than our ancestors, it was because they had

two hundred thousand men in arms to prove them so; and if they disliked the profession of the law, it was because the law is the only opposer of unlimited will and arbitrariness, which did not love to be curbed.

And I thought it was no great unhappiness to me to be out of those public transactions of this time, which I conceived might not prove, in case of another change, wholly free in themselves from all manner of objections; and perhaps in some particulars, wherein the trouble of being informed that they were contrary to the law of England, would not have been to the prejudice either of the actors or of their actions; but in time it will be understood that the law was a good bulwark for the defence of the rights of the people of England.

6. The Swedish ambassador again complained of the delays in his business, and that when he had desired to have the articles of this treaty put into Latin, according to the custom in treaties, that it was fourteen days they made him stay for that translation, and sent it to one Mr. Milton, a blind man, to put them into Latin, who, he said, must use an amanuensis to read it to him, and that amanuensis might publish the matter of the articles as he pleased; and that it seemed strange to him there should be none but a blind man capable of putting a few articles into Latin: that the chancellor with his own hand penned the articles made at Upsal, and so he heard the ambassador Whitelocke did for those on his part. The employment of Mr. Milton was excused to him, because several other servants of the council, fit for that employment, were then absent. 645 Swedish ambassador. Milton.

8. Upon summons, the lord Fiennes, Strickland, secretary Thurloe, and I, met at the council-chamber, and we spent about an hour in considering the several particulars of the present treaty with the Swedish ambassador, his proposals of alteration in some points formerly treated on with him, and the council's votes therein; we went from thence to the ambassador, all but the secretary; and compliments being passed, we fell to our business, and most of the alterations propounded by the ambassador, being but difference of expression only, were agreed.

The main things upon which they differed were, whether pitch, tar, hemp, &c., should be contraband goods or not. Contraband.

The ambassador was earnest that they should not, and remembered his former arguments and reasons upon this point, and said, that his master could not consent unto it for example's sake to others.

The lord Fiennes urged the vote and resolution of the council, upon great debate and reason, during the time only of our war with Spain, who could not subsist without the commodity; and if we should permit it to be no contraband goods with the Swedes, the like would be expected by the Dutch and other nations, and thereby we should give way to the furnishing of our enemies with that which they most wanted, and wherewith they could most offend us.

The ambassador alleged the inconvenience to their trade, if it should be admitted that it was their native commodity, and not of any other nation; that the Swedes had little traffick with Spain; that other nations would supply them, if the Swedes did not; that in the list of contraband goods given in by the former council of state to mynheer Boneale, these commodities were omitted, and so he hoped would be now, and the rather, because it was agreed at the treaty at Upsal that they should be specified within four months; and it was then taken for granted, as the lord Whitelocke knew well, that these commodities should not be taken for contraband.

I answered, that at the treaty at Upsal the general was only agreed, that there should be a specification within four months, in which time none was here on the part of Sweden to agree to a denomination of particulars; that it was left to the future agreement to specify them, and no particulars agreed upon at Upsal; that since that time there was a great change both in our affairs and in those of the king of Sweden, which must necessarily be regarded in the specification of contraband goods; and our war with Spain did require a special care not to suffer them to be furnished with such commodities with which they would most offend us, as the lord Fiennes had declared; that if the Swedes had little traffick to Spain, his excellency might with the less prejudice to them agree that these commodities should be contraband; that the paper given to mynheer Boneale was when we had no war with Spain, or any other nation, and perhaps the commodities not then in debate. Strickland mentioned the

Low Countries prohibiting these commodities to be brought to us in our war with them.

Mynheer Coyett said, that was never submitted unto by any nation that could be strong enough to withstand it.

The ambassador said, he could tell them a pleasant story, which was nothing but of the Hollanders' relieving with provisions and powder a town while it was besieged by the States; and so, he said, other nations would supply the Spaniard, if they did not.

The lord Fiennes proposed the former design of our merchants to buy up at a certain rate all those commodities from the Swedes.

The ambassador said, that would require a long time to alter the factors, and assignations, and places of shipping, and the price; and many other particulars, which could not easily nor quickly be done; and that those goods were most in private hands of merchants.

I said, the same goods at the same places of shipping, and at a certain price all to be vended, I thought would be quickly agreed upon by private men, being for their advantage. Nothing was concluded upon this point.

Then the ambassador excepted against the words in the specification of contraband goods, viz. *instrumenta bello inservientia*, saying, that this did take in all things whatsoever, for they might serve for war; and he desired the words might be *instrumenta bellica*, as words less capacious than the other: this, to please him with his own expressions, was consented unto.

The next great debate was upon the point of passes, which the ambassador said were necessary to be had and agreed upon, or otherwise the people of his master must be still great sufferers, and be highly oppressed, as they had been in the time of our war with the Dutch; and he grated much upon those injuries, which could not be prevented but by passes, which were expressly agreed upon by the treaty of Upsal.

I said, that in England and other countries people were apt to lose their sight in their own cases, and that when both sides were heard, the same appeared to be true; and he did believe the like would appear when both parties came to be heard in those cases whereof so much complaint had

been made by one party only to his excellency; and that the article for commissioners on both sides to be appointed, both for past injuries and for the future, to give a just satisfaction, I did believe would prevent the like hereafter, and be of great advantage to both nations.

That what was agreed at Upsal did appear in the articles of that treaty, which, as to passes, did consent that there should be such, and the form only referred for a future agreement; and there is nothing else but the form to be agreed on; and that seems difficult enough to avoid the deceits in counterfeiting of them, and under pretence of them to have other nations carry prohibited goods to our enemies; and by rea-
646 son of the change of affairs since that general agreement, there must of necessity be a greater care to avoid inconveniences which may arise by those passes.

That the proposition of giving power to the commissioners on both sides to hear and determine all differences upon the bringing in of any ship suspected justly to have a false pass, or prohibited goods in her, will prevent the delays and injuries complained of, and be a means to preserve the amity of both nations the better.

The ambassador, with some quickness, replied, that by the treaty of Upsal, and of necessity, it must be so; a ship showing her pass was not to be troubled any further, nor to be brought in at all, but permitted to proceed in her voyage without any visiting or examination.

I said, that by the words of the article of passes in that treaty, the ship showing a true pass was to be permitted to proceed in her voyage; but if there were a just suspicion of a counterfeit pass, or having prohibited goods, no words of that article did forbid the bringing in of such a ship, but provided that such should be punished, which could not well be without an examination; nor can the matter be examined unless by bringing in the parties concerned before the judges which are to examine them; and it will be more for the advantage of both parties to be brought only to Dover or Plymouth or Hull, or other convenient port towns, and before commissioners, whereof some are their own countrymen, rather than to the court of admiralty, against whom they have made so many complaints before.

The lord Fiennes seconded that proposal of commissioners

to determine all matters of this nature; and said, that the article of passes in the treaty of Upsal could not be understood that ships showing a pass, although counterfeit, or having prohibited goods, should nevertheless be free from examination; neither did the words of that article import any such sense, but agreed those to be punished who should do any thing contrary to that article; and that having a counterfeit pass or prohibited goods would be contrary to that article.

The ambassador said, that if any ship were brought in upon such a suspicion, if it did not prove true, the parties would suffer great injuries by being brought up.

The lord Fiennes and I said, that the commissioners in such cases were to be empowered to give satisfaction out of the party's estate who should do the wrong; and if that were not sufficient, then the state to make it good.

The ambassador went off from this point, and mentioned the forfeiture for having prohibited goods proposed by the council to be those goods and the ship also where they were found, which, he said, was unreasonable, and would ruin their trade if consented unto; nor was it ever done in any treaty that he had seen: but he proposed that the prohibited goods only should be forfeited, and no other goods in the ship; nor the ship in any case.

The lord Fiennes said, that if the forfeiture should be so small as the prohibited goods only, it would encourage people to adventure to carry those goods; and that the forfeiture of the ship would cause the master of it to take care that no prohibited goods should be taken aboard his ship; and he might have security of the merchants, which would prevent any damage to him or to the ship or trade.

Several other matters were debated amongst us; but it growing late we came to no conclusion, but each insisted upon our own opinions; and little was agreed, but only to meet again the next Tuesday.

13. Tuesday, we went to the ambassador of Sweden's house about five of the clock this evening, where we had a long debate with his excellency upon the former points not agreed on: first, about the enumerating amongst the contraband goods pitch and tar and hemp, &c., to which the ambassador

would in nowise yield, and dilated upon the same arguments he had before urged on this matter; adding this, that it was known to the lord Whitelocke that in Finland it was their chief commodity, which if they should not vend yearly, having great quantities of pitch and tar, the country could not subsist, nor would the commodity last above one year in the vessels; but by reason of the great strength of it, being kept longer, it would break the hoops of the vessels and be lost; and if the least restraint should be put upon the vending of it to any place, the inhabitants of Finland would think themselves undone, and it would be a great prejudice to their trade; besides, if it should be forbidden to be carried to Spain, it would cause the Spaniard to seek out elsewhere for pitch and tar, and possibly it might be had in America; and if that should come to pass, it would wholly overthrow the trade of Finland.

Further he said, that in case the Spaniard should want their pitch and tar, that yet he had the oil of a certain fish which he could make use of instead of pitch and tar, which might turn to the great prejudice of his master's subjects.

The lord Fiennes answered as formerly these arguments, and said, that if the Swedes had so little trade with Spain, the forbearing of it during our war would be the less prejudice to them; that the restraint would be only as to Spain, not as to any other nation, and but for a time, during our war with Spain.

I said, that the pitch and tar from Finland was to be had in great quantities, and better and at a lower rate than it would be had from America, and so long there would be no danger to the trade of that country; and for the oil of the fish, which the Spaniard might make use of, it was perhaps in case of necessity, when they could get no pitch and tar, which was so much to be preferred before that oil, that the oil would never be made use of if they could get the other.

I also seconded a proposition, made formerly by the lord Fiennes, that some declaration should be agreed on, that pitch and tar was not determined one way or other, as to contraband goods, but left to know the king's pleasure about it; and in the mean time it should not be taken to be omitted as not contraband goods; which last part he thought might

be left out of the declaration: this was thought worthy consideration by the ambassador; and from thence we went to the point of passes;

Wherein the same arguments were used as formerly on both parts, the ambassador much enlarging himself in the repetition, affirming also, that both this matter of passes and that of contraband goods were once agreed upon as now he desired, and as he could prove, though now the war between us and Spain had occasioned us to stand upon these alterations on our part.

The lord Strickland, mistaking the ambassador, and very 647
ready to know any thing which might reflect upon me, demanded if these things were agreed in the treaty of Upsal.

I answered, that he supposed that treaty had been perused, and no such matter would be found to be agreed in it, but the general only, that there should be a specification of contraband goods, and a form of passes to be agreed upon here.

But I understood these words of the ambassador to reflect upon me, and upon a letter which I by direction here had written to Mr. Laggerfeldt to this effect, that I had presented the form of passes, and the list of contraband goods, which was delivered to me at Upsal, unto the council here, and I did not doubt but that there would be a good agreement upon them: but I not having any copy of my letter to Mr. Laggerfeldt, nor any writing or order to warrant my letter, and the reflection upon it by the ambassador not being plainly expressed, nor observed by my fellow-commissioners, I thought it best not to take notice of it myself, nor to draw it in question, but insisted upon the treaty of Upsal in the answer to it; and again mentioned the former proposition of commissioners to be appointed for restitution, who might also have power to determine the difference upon the bringing in of any Swedish ship hereafter in a summary way, and to be resident at convenient ports near the sea. But this the ambassador did not think good to assent unto; and this brought in the debate concerning these commissioners: wherein the ambassador insisted to have rules given to the commissioners for restitution, which he had set down in writing; and were to this effect, that these commissioners should give damages to such Swedes whose ships had been brought in and ques-

tioned here during our war with the Low Countries, if those Swedes should bring before the commissioners certificates from port-towns, or governors of the king of Sweden's territories, that those ships so brought in were then belonging to the king's subjects.

The lord Fiennes said, that this seemed not to be reasonable, to give rules now for that which was done before the rules were given; that here, and in other places, it was no difficult thing to obtain certificates from towns upon misinformations, or upon particular affection, and this might prove to the great prejudice of England; that in our treaties with France, Denmark, and Holland, we had an article appointing commissioners for restitution, and in none of them were any such rules given; yet they proceeded to determination of the differences *secundum æquum et bonum*, and there was a very good issue of it.

I said, that laws and rules were not to be made to look back; that the particular cases which should come before the commissioners were to be considered according to such circumstances only as were then in question when the business was formerly under examination; and to bring supplemental proofs now, and to procure subsequent passes and certificates, might be a means, not only to give restitution to all Swedes, but to the Dutch also.

The ambassador answered, that the treaties with Denmark and Holland upon the point of restitution were in single matters, as that of seizing our ships at one time in the Sound, and that of Amboyna, but in this treaty it was upon many particulars.

We agreed, it being very late, to have a declaration drawn up, as was moved concerning contraband goods, as to pitch and tar and hemp, &c., and to meet again this day sevennight.

20. Tuesday. We, according to the former appointment, met at the Swedish ambassador's house this evening, where the lord Fiennes did acquaint his excellency, that since the last meeting those matters which remained yet in difference, and were not fully agreed upon, were tendered to the council, who, upon serious debate and consideration thereof, were of opinion that they would in nowise depart from the former resolution; but thought it very reasonable to be insisted on,

that pitch and tar and hemp should be accounted contraband goods during our war with Spain; and his highness and the council being of this opinion, and understanding that there was but little trade between Sweden and Spain, and therefore the inconvenience to have them contraband goods would be the less to the king of Sweden's subjects; but, on the other side, it would be so great a prejudice to England to have the Spaniard at this time to be supplied with those commodities which they had need of, his highness and the council did hope that the ambassador would consent to have them specified amongst the contraband goods, and that the declaration, by way of expedient, drawn up and sent by his excellency to the lord Fiennes, being considered by the council, they were of opinion that the same did determine the question that they should not be accounted prohibited goods; and afterwards referred them to a future determination; and in the mean time it might occasion differences and quarrelling upon that point between the people of both the nations.

The ambassador endeavoured to maintain the reasonableness of that declaration, and said, that he would not agree to have pitch, &c. to be specified among the contraband goods; and repeated his former reasons and arguments at large upon that subject, and in the conclusion said, that it was once approved of here, after the lord Whitelocke's return from Sweden, that they should be left out of the number of contraband goods, as he could make it appear: and then called to his secretary for a paper; which being given him, I did imagine to be a letter that I had written to Mr. Laggerfeldt, and thereupon thought fit to mention it first myself, and said, that I had observed now and at former debates that the ambassador did glance at a letter which I had formerly writ to Mr. Laggerfeldt; and lest more might be apprehended of it than the letter itself would bear, I thought fit myself to acquaint what it was which I did imagine the ambassador intended by those expressions.

I told them, that after my arrival in England, and an account given by me to his highness and the council of my negotiation in Sweden, and the same thoroughly looked into and approved, his highness and the council thought fit to confirm the treaty made by me at Upsal; and there having been some debate concerning the articles of passes, and of

contraband goods, the same were also ratified with the rest; that this being done, I thought fit to certify Mr. Laggerfeldt thereof; which I did by letters not long after; and the ambassador having before intimated something of these letters, I thought
648 good to look out the copies of them amongst my papers, and found nothing in them to this purpose; but only that his highness and the council had ratified the treaty made by me at Upsal, and had agreed that there should be a list of contraband goods, and a form of passports, which was part of that treaty; but nothing was said in that letter of the form of passports or list of contraband goods given in to him by the queen's commissioners at Upsal, nor that those were by me delivered in here, or that those were agreed upon by his highness and the council:

That I had not the honour to be of his highness's council, and that my commission of ambassador was then ended, and that I wrote this letter as a private man; and if it had been as a public person, yet nothing of weight as to this matter could be collected out of it, the words being as I related.

To this the ambassador made no reply, but gave back the paper again, and said, he believed that the lord Whitelocke when he was at Upsal would not have insisted that pitch and tar and hemp should be accounted prohibited goods.

The lord Fiennes said, he perceived that there was much debate at Upsal concerning these points, which occasioned the lord Whitelocke to refer the determination of them to the lord protector and his council, to be determined by them here.

I said, that indeed there was much debate at Upsal concerning these matters, especially about passes, and I thought fit to refer the determination thereof to his highness and the council; and was glad I had done so, and the more, because of the difficulty now made here about them. I did ingenuously confess, that when I was in Sweden, England being then in war with the Dutch, my judgment was not to insist upon the having of pitch, &c. to be contraband goods, but rather that they should not be esteemed so; and my reason was, because the Dutch could have them notwithstanding by small vessels, which should take them in at Hamburgh, or have them brought from Lubeck most part of the way by water (except about twenty miles by land) to Hamburgh,

and from Hamburgh in those vessels they could bring them down the Elbe, and from thence by the flats, which are shoal waters full of sand, on the coast of Bremen, and so along to Holland without going at all into the open sea, or coming within the danger of our ships, which could not come among those flats, nor hinder the Dutch from having of those commodities. But, on the other side, they could not be brought to England but through the wide sea, where they were subject to the danger of being intercepted by our enemies; and if I should then have agreed to have them contraband goods, I conceived the same would have hindered England's being supplied, and not have hindered our enemies having of them. But now, I said, our war with Spain had made a great difference as to that matter, because they could not have them but through the wide sea, where they must be brought by us, and we shall watch the conveyance of them.

The lord Fiennes then fell upon the point of passports, and said, that if his excellency did not approve of the proposal for the commissioners for the restitution to examine and determine all differences upon the bringing in of ships for the future, that then a form of passports should within a few days be sent unto him; which the ambassador seemed to acquiesce in. Passes.

Then the lord Fiennes said, that his highness and the council had likewise considered the rules which his excellency had proposed for the commissioners for restitution of damages to walk by, and did apprehend the same to be very unequal, to make rules now for cases that had been formerly adjudged, and to give such regard to certificates to be now procured for matters long since past, and said, that either from some place in Sweden or Denmark, or some of those parts, a counterfeit pass had been procured, as was proved and confessed.

The ambassador seemed to be nettled at the mention of a counterfeit pass procured from his country, and said, they did so highly value their honour, that if any should do such a thing he would not be received in any honest company afterwards; and said, that in his country they esteemed certificates from good men, or from magistrates of towns, far better testimony than witnesses upon oath, if they were not of great quality who did testify upon oath; and he much in

sisted upon the having of those rules, and urged the same arguments as formerly.

I said, that to give these rules to the commissioners were to make a law with a retrospect, and to judge the cause beforehand, but it would be more equal to leave the commissioners to judge upon all circumstances, and the whole matter to be before them, which would not be if they were tied up by rules, nor could they then proceed *secundum æquum et bonum*.

The ambassador replied somewhat impatiently, that he should be glad to know whether his highness and the council did intend or not (as he hoped they did) that restitution should be made to those who had suffered damage being our friends during our war with the Dutch, and that without some rules to be given to the commissioners for restitution it would be impossible ever to expect any satisfaction for their damages.

The lord Fiennes said, that it did appear that his highness did really intend that a just satisfaction should be made for any wrongs done, or else he would never have consented to this extraordinary way of referring it to commissioners, whereof the one half were to be Swedes, to determine those matters, when he might have left those matters to the ordinary judicatory of the nation, the admiralty court, for a final determination.

I said, that the admiralty court here did proceed according to the law used amongst most nations in Europe in maritime affairs, and was the judicatory which both the English themselves and their friends were to submit unto: if they had done any wrong, the same would be now examinable before the commissioners, and the lord protector had showed a very real desire to give satisfaction to the king of Sweden and to his subjects by consenting to have commissioners to determine these matters, which he might have left, if he had pleased, to the ordinary judicatory of his own people in the court of admiralty.

The ambassador had some other touches about contraband goods, and the lord Fiennes said, that they were informed, that by the civil law pitch and tar and hemp were accounted
649 contraband goods; wherein Whitelocke was not so fully satisfied as to second him in this point.

The ambassador said, that he wished he might have had the happiness to have known the mind of his highness and the council in these matters four or five months agone, that then he might have returned to his master, and not to have stayed so long a time here to no purpose: that he could not now stay so long as to send to his master, (as the lord Fiennes moved,) and to have his answer concerning these commodities as to contraband goods.

He likewise desired to be excused that he could not consent to a proposal on our part, that rebels' goods and prizes, being brought into each other's harbours, should be seized upon, and all taking commissions from Charles Stuart, or from any prince or person who was not in possession of any territories, should be taken for pirates.

I said, that there was a clear difference between enemies and rebels agreed by Grotius and the ancienter civilians: that where there is an allegiance, there to take up arms is rebellion; where there is no allegiance, there they are enemies.

The lord Fiennes proposed to leave out the words *Charles Stuart*, and to let the article go generally, of taking commissions from any who had no territories, and agreed the difference between rebels and enemies.

The ambassador said, they were all one that were in arms against them; that he could not consent to any part of this article; that if he should, it would make many to be their enemies which now were not, and those of Dunkirk and Ostend would fall upon their ships; that Sweden had never meddled with the differences amongst us in England; that whatsoever was reasonable in this kind was already sufficiently provided for, as against rebels and traitors, by the treaty made by the lord Whitelocke at Upsal.

We came away, appointing to meet with the ambassador again on Tuesday next.

June 1656.

14. The Swedish ambassador was now in hopes that we should agree, having had audience of the protector, and received much kindness from him, and had some discourse with the protector about the great business of the protestant interest, and hoped that something might be done in it.

19. Letters that the peace between us and Portugal was Portugal.

now lately confirmed there, and the money paid according to the treaty.

July 1656.

10. The full ratification of the treaty with Portugal was this day presented to his highness.

Parliament. The lords commissioners of the great seal, sitting at the temple, sealed the writs of summons for a parliament to meet the 17th of September.

Mrs. Barlow. The protector, by warrant to sir John Barkstead, lieutenant of the Tower, discharged Mrs. Lucy Barlow from imprisonment: she had a young son with her, which she publicly declared to be king Charles's son, and that she was his wife. The officers found a grant when she was apprehended, signed *Charles R.*, by which she had an annuity or yearly pension of 5000 livres granted to her for her life, with an assurance to better the same when it should please God to restore him to his kingdoms; and it was subscribed, by his majesty's command, *Edward Nicholas.*

17. The lord Fiennes, Strickland, and I met at the Swedish ambassador's house, where we signed and sealed the treaty agreed on both parts; and concerning the carrying of pitch and tar, &c. to Spain, during our war with them, there was a single article that the king of Sweden should be moved to give order for the prohibiting of it, and a kind of undertaking that it should be done. It was very late before we had done signing of them: the protector gave a commission, under the great seal, to the lord Fiennes, Strickland, and myself, to treat and conclude with the ambassador, which commission was then read at the signing of the articles; as was the commission of the king of Sweden under the great seal of Sweden to the ambassador, giving him power to treat and conclude.

25. The Swedish ambassador having taken his leave of the protector, received great civilities and respects from him, and afterwards dined with him at Hampton-court, and hunted with him. The protector bestowed the dignity of knighthood upon one of his gentlemen, sir Gustavus Du Vale, the mareschal.

August 1656.

Sir George Ayscough. 13. The ambassador of Sweden dined at sir George Ayscough's house in Surrey, where they had very noble entertainment: the house stands environed with ponds, moats,

and water, like a ship at sea, a fancy the fitter for the master's humour, who is himself so great a seaman: there, he said, he had cast anchor, and intended to spend the rest of his life in a private retirement.

The ambassador, understanding the abilities of sir George in sea affairs, did, according to his custom, endeavour to improve his own knowledge by his discourses and questions to the company, according to their several capacities and abilities; he therefore found many questions to demand of sir George, and had much discourse with him about sea matters, and particularly concerning our English frigates: he was very inquisitive to know of sir George, whether he esteemed them the best of any sort of ships for fight: sir George answered freely, that he did not esteem them the best ships for fight, but held the old fashioned English ships of the biggest rate best for fight: and being asked his reason, said, because they were stronger than the frigates, would endure the shaking of their own guns and the blows of the enemy's guns better than the frigates could, and were firm, and like a castle in the sea, and not so easy to be boarded as the frigates, being higher built.

The ambassador replied, that they themselves could not so easily board another ship, being so high built: sir George answered, that when they came to boarding, they that assailed had not so great a trouble of going down their own ship as going up to the enemy's, and the high building was no hinderance to their boarding of another, but was the better defence for themselves.

The ambassador also objected, that they could not so easily come about, and fetch up another ship, as the frigates could: sir George answered, that they could easily enough tack about upon any occasion in fight, but confessed that they 650
could not so soon fetch up another ship, nor take or leave as the frigates could, which, he said, was rather an inducement to cowardice than courage; and some captains, when they knew they could leave an enemy as they pleased, would engage in the fewer blows; whereas the old built ships must stand to it, and the men, knowing that there was no running away, would have the better mettle to fight it out.

The ambassador asked which would last longest, the ships built after the old fashion, or the frig ates. Sir George an-

swered, that the old building was more strong and substantial than the building of the frigates, which were made long and light for sailing, and therefore could not last so long as the other; and they carrying many guns, and being thus made, their own guns did much shake and wear them more than the guns of the others did.

They had much discourse of this nature, which added pleasure to the entertainment. In his return home, the ambassador went into Hampton-court, to take his leave of the lady Elizabeth Cleypoole and her sisters, where he was received with much state.

I received the following letter:

HONOURED SIR,

The twentieth of August being appointed at Bucks for the electing of members to serve in parliament for our county, out of that long experience we have had of your suitable qualifications for that purpose, are emboldened earnestly to desire that you would vouchsafe your presence at the George in Aylesbury the day before the election, where we shall be ready to perform our due respects and service, by which you will engage, amongst many others,

Sir, your most humble servants,

This was subscribed at the sessions by the justices of peace, and by the grand jury, and many gentlemen and freeholders of quality.

At the election of the knights of the shire for Bucks my friends marched into Bucks one thousand horse, and were in the field above three thousand, so that I was first and unanimously elected, and with me, colonel Ingoldsby, sir Richard Piggott, Mr. Hambden, and Mr. Granvill.

Sweden. 16. Letters came to the Swedish ambassador of his master's great victory obtained against the king of Poland.

20. The Swedish ambassador designed to have gone away this day, but his jewel and other present of 1200*l.* worth of white cloth, which the protector gave him, not being ready, he was well contented to stay for them; and they were now resolved to be bestowed on him, since the news of his master's great victory against the king of Poland.

23. The ambassador having been yesterday to take his last leave of the protector, who gave him his present, and compliments sufficient besides, and an ample pass under his highness's own hand and seal, than which nothing more could be

demanded or expected; the ambassador was this day to go to Gravesend, and the lord Strickland and sir Gilbert Pickering were appointed by the council to accompany the ambassador to the waterside; the protector's coaches and many other coaches were appointed to conduct him in state to the Tower wharf, where the protector's barges were attending upon him. The ambassador wore the rich jewel which the protector gave him, tied with a blue ribbon to his button-holes: the jewel was his highness's picture in a case of gold, about the bigness of a 5*s.* piece of silver, set round the case with sixteen fair diamonds, each diamond valued at 60*l.*, in all worth about 1000*l.*

September 1656.

3. The protector and his council kept a solemn day of thanksgiving for the two victories obtained at Dunbar and Worcester on this day of the month.

Letters from Bergenopzome from sir John Holland of good advice.

I kept sir Thomas Cotton off from being sheriff of Bedfordshire, being obliged to him for the freedom of his excellent library.

I received this letter from sir William Davenant:

My Lord,

When I consider the nicety of the times, I fear it may draw a curtain between your lordship and our opera; therefore I have presumed to send your lordship, hot from the press, what we mean to represent, making your lordship my supreme judge, though I despair to have the honour of inviting you to be a spectator. I do not conceive the perusal of it worthy any part of your lordship's leisure, unless your ancient relation to the Muses make you not unwilling to give a little entertainment to poetry; though in so mean a dress as this, and coming from, my lord,

Your lordship's most obedient servant,

William Davenant.

17. This being the day appointed for the meeting of the parliament, the protector and the members of parliament came to the abbey church at Westminster, where they heard a sermon preached by Dr. John Owen, vice-chancellor of the university of Oxford: after sermon, his highness and the members went to the painted chamber, where he made a Parliament.

speech to them, and then they went to the house: upon their going in, the members received certificates in this form:

County of Bucks.

These are to certify, that is returned by indenture one of the knights to serve in this present parliament for the said county, and approved by his highness's council.

NATH. TAYLER,
Clerk of the commonwealth in chancery.

17 Sept. 1656.

Sir Thomas Widdrington was chosen speaker.

18. The house resolved to keep a fast-day on Wednesday next; and they appointed a committee to prepare a declaration for a general fast throughout the three nations.

Committees. They appointed grand committees for elections, religion, grievances, courts of justice, and for trade.

A bill was read for renouncing and disannulling the pretended title of *Charles Stuart*.

19. The same bill was read the second time.

651 22. Some amendments to this bill for renouncing, &c. were reported to the house from the committee, and agreed, and the bill ordered to be engrossed.

A report being made to the house from the council of the reasons why some persons returned for members were not admitted into the house; upon the question it was resolved, that those persons should make their application to the council for approbation.

Upon which several of the members that were chosen to serve in parliament, and not approved by the council, published a remonstrance in these words:

When our worthy ancestors have been met in parliament, and have found oppression and tyranny supported by such strong hands that they could not prevail to secure their countries, lives, and liberties by wholesome laws, they have often made their protestations against the injustice and oppression, and forewarned the people of their danger. To omit other instances, so did the commons in parliament in the third and fourth year of the late king, when he challenged a power to take tonnage and poundage without the people's consent in parliament, they made their protestation, "that whosoever should counsel or advise the levying of tonnage and poundage for the king, not being granted him by the parliament, or should

See the parliament's Journals on Monday, March the 2d, 1628.

act or be an instrument therein, should be reputed a capital enemy to the kingdom and commonwealth: and also that whatsoever merchant or other person should voluntarily yield or pay tonnage or poundage, not being granted by parliament, should be reputed a betrayer of the liberties of England, and an enemy to the same."

In like manner we who have been duly chosen by the people to be members of the parliament that should now have met, and have an undoubted right to meet, sit, and vote in parliament; although we are oppressed by force of arms, and shut out of the usual place of parliaments sitting, yet having hearts sensible of that highest trust reposed in us, and being filled with cares for the church and commonwealth, which with grief of heart we behold bleeding, we do hold ourselves bound in duty to God and our country to declare unto the people of England their and our woful condition, and the most evident danger of the utter subversion of religion, liberty, right, and property.

We believe the rumour is now gone through the nation, that armed men, employed by the lord protector, have prevented the free meeting and sitting of the intended parliament, and have forcibly shut out of doors such members as he and his council supposed would not be frighted or flattered to betray their country, and give up their religion, lives, and estates to be at his will, to serve his lawless ambition. But we fear that the slavery, rapines, oppressions, cruelties, murders, and confusions that are comprehended in this one horrid fact, are not so sensibly discerned, or so much laid to heart, as the case requires; and we doubt not but, as the common practice of the man hath been, the name of God and religion, and formal fasts and prayers, will be made use of to colour over the blackness of the fact: we do therefore, in faithfulness unto God and our country, hereby remonstrate,

First, that whereas by the fundamental laws of this nation the people ought not to be bound by any laws but such as are freely consented unto by their chosen deputies in parliament; and it is a most wicked usurpation, even against the very laws of nature, for any man to impose his will or discretion upon another as a rule, unless there be some pact or agreement between the parties for that intent. And whereas by the mercy of God only, in preserving this fundamental law and liberty, the good people of England have beyond memory of any record preserved their estates, families, and lives, which had otherwise been destroyed at the will of every wicked tyrant; and by keeping this only, as their undoubted right, they have been kept from being brutish slaves to the lusts of their kings, who would otherwise have despoiled them of their persons, lives,

and estates by their proclamations, and the orders of themselves and their courtiers, as they pleased: and by virtue of this their undoubted right the people have commonly disputed, resisted, and made void the proclamations of their kings, and the orders of their council table, where they have crossed the laws unto which they have consented in their parliaments:

Now the lord protector hath by force of arms invaded this fundamental right and liberty, and violently prevented the meeting of the people's chosen deputies in parliament. And he and his council boldly declare, that none of the people's deputies shall meet in parliament unless they agree to the measure of their fantasies, humours, or lusts; they now render the people such fools or beasts as know not who are fit to be trusted by them with their lives, estates, and families. But he and his council, that daily devour their estates and liberties, will judge who are fit to counsel and advise about laws to preserve their estates and liberties: thus doth he now openly assume a power to pack an assembly of his confidents, parasites, and confederates, and to call them a parliament, that he may thence pretend that the people have consented to become his slaves, and to have their persons and estates at his discretion. And if the people shall tamely submit to such a power, who can doubt but he may pack such a number as will obey all his commands, and consent to his taking of what part of our estates he pleaseth, and to impose what yokes he thinks fit to make us draw in.

Secondly, And whereas the parliament of England, consisting of the people's chosen deputies, always have been and ought to be the ordainers and creators of dignities, offices, and authorities in this nation, and have always of right exercised the power of disposing even the kingly office, and authority of enlarging and restraining the kingly power, and of questioning, making void, or confirming all commissions, proclamations, charters, and patents of any of our former kings; and have questioned, censured, and judged even the persons of our kings for abusing their trusts, and invading the people's laws, rights, and liberties; and by this means the highest officers, and the kings themselves, have acknowledged their power to be only trusted to them for the people's welfare; and they have always dreaded the people's parliaments, who could call them to an account for any injustice or violence done upon the person or estate of any man; and hereby the people were secured under the laws from the rapine and oppression of the highest grandees and courtiers; even the kings themselves, fearing the people's complaints in their parliaments, and well knowing the people's custom to choose for their deputies the most known champions for their li-

berties, against the arbitrary powers and injustice of the kings and their courtiers; and none of the most wicked kings, in their highest hope to erect a tyranny, ever daring, since members were sent to parliaments by elections, to throw aside by force as many of the chosen members as they thought would not serve their ends; they knowing it to be the undoubted right of the people to trust whom they think fit, and as much the right of every man duly chosen and trusted to meet and vote in parliament without asking their leave or 652
begging their tickets. And although here hath been frequently secret designs for many years to subvert religion, liberty, and property in this nation, and to that end the designs of tyranny have attempted to destroy sometimes the being and sometimes the power, privileges, and freedom of parliaments, yet the mercy of God hath almost miraculously preserved the being, privileges, and authority of parliaments, and therein religion, liberty, and property, until the time of the lord protector.

But now he hath assumed an absolute, arbitrary sovereignty, (as if he came down from the throne of God,) to create in himself and his confederates such powers and authorities as must not be under the cognizance of the people's parliaments. His proclamations he declares shall be binding laws to parliaments themselves; he takes upon him to be above the whole body of the people of England, and to judge and censure the whole body, and every member of it, by no other rule or law than his pleasure, as if he were their absolute lord, and had bought all the people of England for his slaves. Doubtless, if he would pretend only to have conquered England at his own expense, and were there as much truth as there is falsehood in that pretence, yet he could not but know that the right of the people's deputies in parliament to their ancient powers and privileges would remain good against him as against their public capital enemy, whom every man ought to destroy, until by some agreement with the body of the people in parliament some sort of governing power in him were submitted unto, that hereby he might cease to be a public enemy and destroyer, and become a king or governor according to the conditions accepted by the people; and if he would so pretend, he could not be so discharged from his public enmity by any conditions or agreement made with a part of the people's chosen deputies whilst he shut out the other part; for no part of the representative body are trusted to consent to any thing in the nation's behalf if the whole have not their free liberty of debating and voting in the matters propounded. If he would pretend no higher than to be our conqueror, who for peace and his own safety's sake was content to cease from being a public enemy, and to be admitted

a governor, he could not compass those ends by forcibly excluding (as now he hath done) whom he pleased of the representative body of the people, who were to submit to him in the people's behalf; therefore either takes upon him to be such a conqueror as scorns the people's acceptance of him by their representative as their governor, and fears not to remain a public enemy, or else he takes himself to be such an unheard of sovereign, that against him the people have no claim of right or property in themselves, or any thing else; for he hath now declared that the people's choice cannot give any man a right to sit in parliament, but the right must be derived from his gracious will and pleasure, with that of his councillors; and his clerk's ticket only must be their evidence for it. Thus hath he exalted himself to a throne like unto God's, as if he were of himself, and his power from himself, and we were all made for him, to be commanded and disposed of by him, to work for him, and serve his pleasure and ambition.

Seeing therefore this total subversion of all law and right, and the distractions, miseries, blood, and confusions that will be the most certain consequences of it; and withal remembering the late effusion of blood upon no other account than to secure religion, liberty, and property, and the freedom, power, and privileges of parliaments, as the bulwarks thereof; and that by those very hands who now overturn the very foundations of all liberty, right, and property, and of the beings of parliaments; and our very souls trembling at the loud cries of that sea of blood, and at the horrid clamours of the many falsified oaths and promises made upon the same account:

For the acquitting of our own souls, in the faithful discharge of our duties to our country, in such manner as we are capable under the high oppression, we do hereby most solemnly remonstrate and protest unto all the good people of England;

First, that the violent exclusion by any governor, or pretended governor, of any of the people's chosen deputies from doing their duties and executing their trust freely in parliaments, doth change the state of the people from freedom unto a mere slavery: and that whosoever hath advised, assisted, or adhered unto the lord protector in so doing is a capital enemy to the commonwealth: and our ancestors have so declared and adjudged the advisers of some of our kings to attempts not so destructive or dangerous as this of his. In the 11th year of Richard the Second, chief justice Tresilian and justice Blake were condemned of high treason by the parliament, and executed at Tyburn, chiefly "for advising the king that he might when he pleased dissolve the parliament, and command the members

See and compare the 11th Rich. II. with 21 of Rich. II. chap. 12; and the 1 Hen. IV. chap. 3, 4.

to depart under the penalty of treason." And we believe every man can discern how much it is more mischievous for a king or any other to command one hundred, two hundred, or three hundred of the members to depart, and to call the rest a parliament, to give countenance to his oppression.

If our kings might have commanded away from the parliaments all such persons of conscience, wisdom, and honour as could not be corrupted, frighted, nor cozened by them to betray their country, our ancestors could not have left us either liberties or estates to defend.

Secondly, we do further likewise protest, that all such chosen members for a parliament as shall take upon them to approve of the forcible exclusion of other chosen members, or shall sit, vote, and act by the name of the parliament of England, while to their knowledge many of the chosen members are so by force shut out, we say such ought to be reputed betrayers of the liberties of England, and adherents to the capital enemies of the commonwealth.

Thirdly, we do hereby further protest, that the present assembly at Westminster is not the representative body of England, and also that they sit under the daily awe and terror of the lord protector's armed men, not daring to consult or debate freely the great concernments of their country, nor daring to oppose his usurpation and oppression; and that therefore, until there can be a free parliament, we do protest against all such votes, orders, ordinances, or laws as shall be pretended to be made or enacted by the present assembly at Westminster, as being null and void in themselves, and of no legal effect or power: neither can any of them, according to the laws of God, or the fundamental constitutions of our country, be imposed upon any man; neither can tax or tallage be justly or lawfully raised by them.

And to avoid all further vain pretences of a necessity at present to act in extraordinary ways for present safety, we do further declare, that a free parliament is the only judge of such dangers and necessities of this commonwealth as may warrant any extraordinary acting besides or against the laws; and if the kingly power that was in England were lawfully settled in the lord protector, yet he had no colour of right to judge of the cases of necessity that should make it lawful for him to transgress the known laws; but, by the 653
known judgment of parliaments, those that should so advise him were guilty of high treason.

We do therefore appeal unto God, and all the good people of England, for assistance and protection in their service, hereby declaring our readiness and earnest desires to attend upon our country's

service, to expose our lives and estates to the uttermost hazards therein, to prevent the ruin and confusion that now threatens it; if it shall please God to enable them to redeem themselves from the present oppression, that their chosen deputies may meet and consult how to advance the glory of God, promote the true religion, and provide for the safety, liberty, peace and happiness of the commonwealth; and in the interim we shall endeavour to pour out our sad complaints before the Lord against our powerful oppressors, humbly hoping that he will come forth speedily to redeem his people out of the hands of wicked and deceitful men:

Arthur Haslerig, Thomas Scot, Herbert Morley, John Bulkley, John Birch, George Fenwick, Anthony Earby, Thomas Lyster, Thomas Birch, Thomas Saunders, Henry Darly, John Weaver, Alexander Popham, John Goodwyn, Francis Thorpe, Anthony Ashley-Cooper, John Southby, Richard Greenhill, Thomas Adams, Richard Brown, Richard Darly, Thomas St. Nicholas, William James, John Boyse, Charles Hall, John Jones, William Wolley, Richard Radcliffe, William Saville, Theophilus Biddolph, Henry Mildmay, Harbottle Grimstone, William Welby, Charles Hussey, Edmund Harvey, John Sicklemore, William Doyly, Ralph Hare, John Hubbard, Oliver Raymond, Jeremy Bentley, Philip Woodhouse, John Buxton, William Bloyle, William Gibbs, Thomas Southerton, Thomas Bowes, Edward Harloe, John Hanson, Clement Throckmorton, Daniel Wall, Henry Worth, Richard Lucy, John Witrong, George Courthop, Samuel Got, John Buckland, Robert Long, John Northcot, John Young, John Dodderida, Henry Hungerford, Salisbury, Edward Yooker, William Morris, John Hale, Edward Turner, Challoner Chute, Daniel Shatterden, Thomas Styles, Richard Beale, John Scylliard, Walter Moyle, Walter Vincent, John Gell, Henry Atlington, Henry Tempest, James Clavering, John Stanhope, Peneston Whaley, Abel Barker, Samuel Moore, Thomas Miners, John Bowyer, Samuel Jones, John Aston, Richard Hinton, Andrew Lloyd, Edward Hooper, Richard Wyren, John Egg, Thomas Rivers, Henry Peckham, Charles Lloyd, John Thurlane, William Fisher, John Gore, Rowland Litton.

23. The house ordered that no private petition should be read in the house for a month, and that no petition presented to the parliament be printed before it is read in the house.

24. The fast-day.

26. The bill entitled, *An act for renouncing and disannulling the pretended title of Charles Stuart, &c.*, was read the third time and passed.

29. Several members being absent, the house ordered, that all persons that have been or shall be approved do attend on Monday next.

Alderman Titchburn was chosen lord mayor of the city of London.

October 1656.

1. Upon consideration of the business of the Spanish war, the house resolved, that the war against the Spaniard was undertaken upon just and necessary grounds, and for the good of the people of this commonwealth, and the parliament doth approve thereof, and will, by God's blessing, assist his highness therein; and appointed a day to consider of the manner of carrying on that war. Spanish war.

A petition of one aged ninety-six years for arrears of wages due to him as servant to the late king James and king Charles.

2. A letter from captain Stayner to general Blake and general Montague, sent by them to the protector, wherein was an account of the engagement with the West India Spanish fleet; that the vice-admiral and one more were sunk and two burnt and one taken; and that the captain saith she hath in her two millions of silver, and that it was believed the vice-admiral had as much; that the Plymouth frigate chased another of the Spanish ships, who ran ashore between St. Peter's and Cape Degar. Plate fleet.

A thanksgiving day appointed for the success.

The lord Willoughby moved the protector for his enlargement out of prison, and for leave to go to Surinam. Lord Willoughby.

6. The French ambassador had audience.

11. The house approved the lord commissioner Fiennes and the lord commissioner Lisle to be commissioners of the great seal, and the lord chief justice Glyn to be chief justice of the upper bench. Great seal. Upper bench.

31. James Naylor and others being in prison at Bristol, and accused for blasphemies and other great misdemeanours, a committee was appointed to send for them, and to examine the matter and witnesses. James Naylor.

November 1656.

1. Letters, that care is taken to bring the silver from Portsmouth that was taken in the Spanish galleon.

4. Upon general Montague's coming into the house, the General Montague.

speaker gave him the thanks of the house for his great and good services done for this commonwealth at sea.

Union. 12. Debates to take away the court of wards, and for the union of Scotland and England.

15. Debates touching registering of marriages and burials.

17. Proceedings upon the bill for the union of Scotland and England.

Protector. 27. The protector came to the painted chamber, and sent a sergeant at arms to give notice to the house that he was come: the speaker and the whole house went to the painted chamber, where his highness in the presence of the lord president and the rest of the council, the lords commissioners of the great seal, the lords commissioners of the treasury, the lords chief justices of the benches, the master of the rolls, and the rest of the judges, gave his consent to these following bills:

Acts. An act, that passing of bills shall not determine this present session of parliament.

An act for renouncing and disannulling the pretended title of *Charles Stuart &c.*

An act for the security of his highness the lord protector his person, and continuance of the nation in peace and safety.

An act for taking away the court of wards and liveries.

An act for the exportation of several commodities of the breed, growths, and manufacture of this commonwealth.

654 *December* 1656.

1. Applications to me by the Spanish merchants in the business of their trade.

2. Applications by the doctors and other civilians for keeping up their profession.

4. The earl of Abercorne solicited upon his petition in parliament.

James Naylor. 6. James Naylor was sent for and heard at the bar of the house: it was thought by many that he was too fiercely prosecuted by some rigid men.

8. The house resolved, that James Naylor is guilty of horrid blasphemy, and that he is a grand impostor, and a great seducer of the people.

The bill to take away purveyance, and another for navigation, were read.

13. Several members spake to make an end of the business of James Naylor, which had taken up too much of their time.

17. Mr. Speaker, by order of the house, pronounced judgment against James Naylor; to stand in the pillory two hours at Westminster; to be whipped by the hangman through the streets from Westminster to the Old Exchange, and there to stand in the pillory two hours more; and that his tongue be bored through with a hot iron; and that he be stigmatized in the forehead with the letter *B*; and that he be afterwards sent to Bristol, and conveyed through the city on a horse bare-ridged, and his face backward, and there likewise whipped in the marketplace: Mr. Speaker. Sentence.

And that from thence he should be brought to London, and committed to prison in Bridewell, and there to be restrained from all company, and kept to hard labour till he shall be released by parliament, and during that time to be debarred from the use of pen, ink, and paper; and to have no relief but what he earns by his labour.

23. The house were debating how to provide money for the war with Spain, whilst some members took liberty of absence.

24. A bill for probate of wills and granting of administration read.

25. A bill for preservation of the timber in the forest of Dean ordered to be engrossed.

31. The house voted that all absent members that should not attend on that day fortnight should forfeit 20*l.*, to be paid before they come into the house. Vote.

January 1656.

2. The parliament was adjourned for two days because the speaker was ill.

5. The speaker continued ill, and yet came to the house.

6. A bill touching the public revenue.

9. The parliament kept a fast-day within the house.

12. The speaker was not well able to perform the business of his place by reason of his illness.

The house resolved into a grand committee upon the bills for uniting Scotland to England, and for uniting Ireland to England. Union.

19. Discovery of a plot of Syndercomb and others to kill the protector, and set on fire Whitehall. Syndercomb.

A thanksgiving-day appointed for this discovery.

The house resolved to wait on the protector to congratulate the mercy and deliverance.

24. The peace between this commonwealth and Portugal proclaimed.

Speaker. 27. Mr. Speaker being come to the house, and the house taking notice of the weakness of his body, it was resolved by the parliament, that, in respect of Mr. Speaker's present indisposition of body, the lord commissioner Whitelocke be desired to take the chair to supply the speaker's place during his absence.

I was brought to the chair by colonel Sydenham and major general Howard, and being there set, desired, since the house was pleased to command my service in that place on this occasion, that they would be pleased to construe with all candour my words and actions therein; and that they will give me a freedom of minding them, and keeping them to the orders of the house, for the service and honour of the house.

Resolutions. Resolved, that those ceremonies and respects that were used to the former speaker shall be used to the present speaker; and that he have the profits due to the speaker.

30. The house resolved that the sum of 400,000*l.* shall be raised for the carrying on the war with Spain.

February 1656.

Letters from Mr. Talbot for my opinion in matter of antiquity relating to that family of Talbot.

6. There was a great meeting of learned men at my house at Chelsey, by an order of the house made before I was speaker. The order was thus:

Jan. 16. At the grand committee for religion.

Ordered, that it be referred to a sub-committee to send for and advise with Dr. Walton, Mr. Hughes, Mr. Castle, Mr. Clark, Mr. Poulk, Dr. Cudworth, and such others as they shall think fit, and to con-
Bible. sider of the translations and impressions of the Bible, and to offer their opinions therein to this committee; and that it be especially commended to the lord commissioner Whitelocke to take care of this business.

This committee often met at my house, and had the most learned men in the oriental tongues to consult with in this great business, and divers excellent and learned observations of some mistakes in the translations of the Bible in English;

which yet was agreed to be the best of any translation in the world. I took pains in it, but it became fruitless by the parliament's dissolution.

7. Appointed for the reading of private bills, in favour of me the present speaker.

9. Syndercomb was tried at the upper bench bar, found guilty, and condemned to be hanged, drawn, and quartered. Syndercomb. The court declared, that by the common law, to compass or imagine the death of the chief magistrate, by what name soever he was called, whether lord protector or otherwise, is high treason, and that the statute 25 Ed. III. was only declaratory of the common law.

Application touching the reformation of clothing.

12. Letter from monsieur Dugard in Latin to me about the reforming of some mistakes in the English translation of the Bible.

16. Many private bills were passed.

Dr. Walton published the Polyglot Bible. Polyglot.

18. Sir Thomas Widdrington being informed of the great 655
favour of the parliament to me their speaker during his absence, and the interest I had gained in the house, and that several private bills were ready to pass, and particularly for naturalizing of many strangers, and every one of them was to pay 5*l.* to the speaker for his fee, which I would receive in case sir Thomas Widdrington did not take his place again before the passing of those bills, he, being desirous of the money, though to the hazard of his life, came again to the house and took his place, though very weak and feeble.

My friends were apprehensive of the hard measure I had in being thus defeated, and they were sensible of my pains and dexterity in managing the business of the house, wherein I had given them great content, and said, that in the short time of my being speaker, by my holding them to the points in debate, they had despatched more business than in all the time before of their sitting. They moved the house on the behalf of me, and these votes were unanimously passed:

Resolved upon the question by the parliament, that the lord Whitelocke have the thanks of the house for his great and faithful service in the business of this house as speaker during the absence of the present speaker. Votes.

Then some of my friends acquainted the house that I had not yet received 500*l.*, part of the arrears due to me upon my embassy to Sweden, nor any reward at all for that great and hazardous service, which was so much to the benefit of this commonwealth; whereupon these votes were also unanimously passed:

Votes.

Resolved upon the question by the parliament, that the sum of 500*l.* expended by the lord commissioner Whitelocke, in his embassy into Sweden, over and above what he hath received, shall be forthwith paid unto him.

Resolved upon the question by the parliament, that the sum of 2000*l.* be paid unto the lord commissioner Whitelocke over and above the said 500*l.*, in respect of his great and faithful service to the public in that embassy.

Ordered by the parliament, that the lords commissioners for the treasury be required to pay the said several sums accordingly.

Resolved upon the question by the parliament, that the lord commissioner Whitelocke have the thanks of this house for his great service in that embassy.

The speaker, by command of the house, did give me (standing in his place) the thanks of the house for my great and faithful service in that hazardous voyage, undertaken by me as ambassador to Sweden, and likewise for my readiness and faithfulness in the service of this house as speaker, in the absence of the present speaker.

The money was accordingly paid to me not long after, though when the same was voted by the former parliament I received no part of it: but the protector and some of my ill-willers about him were not pleased with this extraordinary favour of the parliament to me; yet I attended with the speaker and the members of the parliament at Whitehall upon his highness after the sermon, and was with the rest nobly entertained by him at dinner, upon the day of thanksgiving for his highness's deliverance from the intended murder of him by Syndercomb and his associates.

23. I endeavoured to promote the great business of settlement of the nation, and a fast appointed to be kept within the house.

March 1656.

1. Applications to me by sir Francis Wortley in a business

in parliament, and in the business touching recusants, and about making of salt, and in the case of Mr. Hanson, a merchant of London.

9. Applications to me about the civilians to be the judges of the admiralty, and for probate of wills.

10. Applications to me about the church of the Walloons in Norwich.

12. Applications to me about visitors of the university of Oxford.

I furthered the bill for settling the company of merchant-adventurers. Bills.

13. I furthered a bill for a market in Lincoln's-Inn-Fields, and the bill for mitigating the forest laws, and preservation of the timber in the forest of Dean.

14. I had an account prepared for the house of the whole year's disbursements for the land and sea forces, and government.

15. Applications to me touching the earl of Bedford's buildings in Covent-Garden.

19. I was much employed in the great business of the settlement of the nation.

20. I assisted to procure a charter for the town of Marleborough in the county of Wilts.

26. I furthered a bill for prices of wines.

27. I assisted for passing an act of indemnity.

31. I assisted in passing a bill to buy impropriations to maintain ministers.

April 1657.

2. Applications made to me in a business in parliament by the lord Fitz-William.

3. I furthered a bill for the maintenance of ministers in Bristol.

4. The parliament had been long about the settlement of the nation, and had framed a writing which they styled, *The humble petition and advice of the parliament of England, Scotland, and Ireland, to his highness:* the first business of it was for the protector to have the title of *king;* this petition and advice was presented to his highness by the house; and he desired that a committee might be appointed to confer with him about it; which was named; and I, being one of the committee, was made chairman. When the committee at-

tended his highness, I spake to him upon the point of the
Title of king. title of *king*, giving reasons why he should accept of that title: the protector urged his reasons against it; and I replied. The whole debate is in print.

5. This day I reported to the house the passages when our committee attended his highness.

6. Referred to a committee to consider what was fit further to offer to the protector in the great business: this was the former committee: they attended his highness, and he appointed next day for them to come again to him.

Plot. Harrison. 9. A plot discovered, by the vigilancy of Thurloe, of an intended insurrection by major-general Harrison, and many of the fifth-monarchy men.

11. I reported to the house the committee's waiting upon the protector, but that the new discovered plot hindered their proceedings at that time.

12. Applications to me by the officers in behalf of the army in Ireland.

656 13. Applications to me in behalf of the company of vintners.

The committee offered their reasons to the protector in the great business.

14. I acquainted the house with the passages yesterday betwixt his highness and the committee about the title of *king*.

16. I moved the house for their committee to meet again with his highness, which was ordered: they attended, but the protector being busy in examining the new plot, they were put off to another day.

Title of king. 20. Upon my motion the committee were ordered again to attend his highness. The protector was satisfied in his private judgment that it was fit for him to take upon him the title of *king*, and matters were prepared in order thereunto; but afterwards, by solicitation of the commonwealth's men, and fearing a mutiny and defection of a great part of the army in case he should assume that title and office, his mind changed; and many of the officers of the army gave out high threatenings against him in case he should do it: he therefore thought best to attend some better season and opportunity
Title of king refused. in this business, and refused it at this time with great seeming earnestness.

21. I acquainted the house that his highness had some

things to offer to the committee in a paper, and desired them to meet him this afternoon; whereupon the house adjourned till to morrow, and the committee met his highness.

22. I reported to the house the committee's attendance upon his highness yesterday, who offered to us a paper of particulars touching several things in *the humble petition and advice*; and that the committee are preparing a report of the whole business: thereupon the house adjourned till to morrow.

23. All the members in Westminster being sent for into the house, I made the report of the whole proceedings of the committee with his highness touching the title of *king*, with the protector's answers and papers given in by him to the committee; which I read, and afterwards the clerk read them again; and the debate of this great business was adjourned.

27. The house were busy in debating the last report made by me in the business of the title of *king*.

28. They proceeded in the same debate.

29. They came to some resolutions in that debate which were not all pleasing to his highness.

May 1657.

1. The committee of parliament where I had the chair, according to the order of the house, attended the protector, and acquainted him, that the house had now perfected their answers to the papers formerly delivered by his highness to the committee, who now attended him with the parliament's answer: his highness told the committee, that he would take the particulars of this answer into consideration, and as soon as might be he would return his answer. Petition and advice.

I declined the first delivery of *the petition and advice* to the parliament, not liking several things in it; but sir Christopher Packe, to gain honour, presented it first to the house: and then the lord Broghil, Glyn, I, and others, put it forward.

2. The protector often advised about this and other great businesses with the lord Broghil, Pierepoint, myself, sir Charles Wolseley, and Thurloe, and would be shut up three or four hours together in private discourse, and none were admitted to come in to him: he would sometimes be very cheerful with us, and, laying aside his greatness, he would be exceeding familiar with us, and by way of diversion would make verses Protector.

with us, and every one must try his fancy: he commonly called for tobacco, pipes, and a candle, and would now and then take tobacco himself: then he would fall again to his serious and great business, and advise with us in those affairs: and this he did often with us, and our counsel was accepted and followed by him in most of his greatest affairs.

Queen of Sweden.

3. The sieur Phillipi Passerini being sent by the queen of Sweden to the protector with letters credential, and to inform his highness of some secret affairs, he, by the queen's instructions, addressed himself first to me, with letters to me from the queen, desiring me to bring her secretary (this gentleman) to the presence of his highness, and to promote his business: I acquainted the protector therewith, and read to him the queen's letters to me, which were in French: the protector desired me to read them again to him in English, which I did, and the protector said he would consider of the business. Upon advice with his council about it, some of them, to show their extraordinary care of his person, suggested that this messenger, being an Italian, (who were skilful in the art of poisoning, and ready to be hired for such a purpose,) might bring poison with his letters, to the danger of his highness; and therefore dissuaded him from receiving of this messenger, or permitting him to come into his highness's presence.

The protector smiling acquainted me with this cautious counsel: I convinced the protector of the folly of it, and the high distaste that would be taken by the queen in case her secretary should be denied audience: the protector replied, that the messenger desired to deliver his errand in private to the protector, and none to be by but one more, whom the protector should appoint, and that person, his highness said, he intended should be me: I said, that if I were by when the gentleman delivered his letter, I would first receive it of the gentleman, and hazard the danger of being poisoned by it; at which the protector laughed, and appointed a day for the gentleman's audience.

At that time I only was present with the protector, and the gentleman offering to deliver the letter to his highness, I took it first from the gentleman, and then he delivered his secret message to his highness, which I interpreted from the French, and it was a particular account of the causes why she

ordered her servant, the Italian marquis, to be put to death in France: and I also propounded to his highness several matters in order to alliances with foreign princes, which were of great consequence and probable advantage to England; and the protector seemed well pleased with it.

I procured a civil treatment of the gentleman whilst he was here, and a respectful answer to his business, and dismission of him; and I gave an account of all by my letters to the queen, which this messenger carried to her majesty, and she had satisfaction in it, as well as her secretary.

5. I having as chairman despatched the great point of *the humble petition and advice*, touching the title of *king*, which was now laid aside, I absented myself as much as I could from the committee, that some other might be employed in the other points relating to the petition, and the master of the rolls, Lenthal, reported from the committee that his highness had appointed them to attend him this afternoon, which the house ordered. Petition and advice 657

6. The committee attended his highness, who desired that the house would give him a meeting to morrow.

7. The master of the rolls reported this to the house, and that since that appointment his highness had sent for some of the committee, and desired that the committee would meet him this afternoon, and that the meeting of the house with him this day might be put off; which the house ordered.

8. I reported our attendance upon his highness, and that he desired the house would meet him this morning; and they presently adjourned to the painted chamber.

Applications to me by colonel Talbot in matters of antiquity.

11. The bill for the adventurers in Ireland read.

15. The house debated the protector's answer to *the petition and advice*.

19. The house resumed the debate upon the protector's answer to *the petition and advice*, and voted his title to be *lord protector*, and referred it back to the committee to consider it. Lord protector.

22. The committee reported to the house the bounds and limits of the title of *lord protector*, and the house agreed to it.

25. A committee named, whereof I was one, to attend the protector to know what time the house should wait on him Petition and advice

about *the petition and advice;* and this afternoon being appointed by his highness, the house waited on him, and presented it to him, and desired his consent thereunto.

The petition and advice was in these words:

To his highness the lord protector of the commonwealth of England, Scotland, and Ireland, and the dominions thereto belonging;

The humble petition and advice of the knights, citizens, and burgesses now assembled in the parliament of this commonwealth.

We the knights, citizens, and burgesses in this present parliament assembled, taking into our most serious consideration the present state of these three nations, joined and united under your highness's protection, cannot but in the first place with all thankfulness acknowledge the wonderful mercy of Almighty God, in delivering us from that tyranny and bondage, both in our spiritual and civil concernments, which the late king and his party designed to bring us under, and pursued the effecting thereof by a long and bloody war; and also that it hath pleased the same gracious God to preserve your person in many battles, to make you an instrument for preserving our peace, although environed with enemies abroad, and filled with turbulent, restless, and unquiet spirits in our own bowels; that as in the treading down the common enemy, and restoring us to peace and tranquillity, the Lord hath used you so eminently, and the worthy officers and soldiers of the army (whose faithfulness to the common cause we and all good men shall ever acknowledge, and put a just value upon); so also that he will use you and them in the settling and securing our liberties as we are men and Christians, to us and our posterity after us, which are those great and glorious ends which the good people of these nations have so freely, with the hazard of their lives and estates, so long and earnestly contended for: we consider likewise the continual danger which your life is in, from the bloody practices both of the malignant and discontented party, (one whereof, through the goodness of God, you have been lately delivered from,) it being a received principle amongst them, that no order being settled in your lifetime for the succession in the government, nothing is wanting to bring us into blood and confusion, and them to their desired ends, but the destruction of your person; and in case things should thus remain at your death, we are not able to express what calamities would in all human probability ensue thereupon, which we trust your highness (as well as we) do hold yourself obliged to provide against, and not to leave a people, whose common peace and interest you are intrusted with, in such a condition as may hazard both, especially in this conjuncture,

when there seems to be an opportunity of coming to a settlement upon just and legal foundations. Upon these considerations we have judged it a duty incumbent upon us to present and declare these our most just and necessary desires to your highness:

I.

That your highness will be pleased, by and under the name and style of *lord protector of the commonwealth of England, Scotland, and Ireland, and the dominions and territories thereunto belonging*, to hold and exercise the office of chief magistrate of these nations, and to govern according to this *petition and advice* in all things therein contained, and in all other things, according to the laws of these nations, and not otherwise: that your highness will be pleased, during your lifetime, to appoint and declare the person who shall immediately after your death succeed you in the government of these nations.

II.

That your highness will for the future be pleased to call parliaments consisting of two houses (in such manner and way as shall be more particularly afterwards agreed and declared in this petition and advice) once in three years at furthest, or oftener, as the affairs of the nation shall require, that being your great council, and in whose affection and advice yourself and this people will be most safe and happy.

III.

That the ancient and undoubted liberties and privileges of parliament (which are the birthright and inheritance of the people, and wherein every man is interested) be preserved and maintained, and that you will not break or interrupt the same, nor suffer them to be broken or interrupted; and particularly, that those persons who are legally chosen by a free election of the people to serve in parliament may not be excluded from sitting in parliament to do their duties, but by judgment and consent of that house whereof they are members.

IV. 658

That those who have advised, assisted, or abetted the rebellion of Ireland, and those who do or shall profess the popish religion, be disabled and made incapable for ever to be elected, or to give any vote in the election of any member, to sit or serve in parliament; and that all and every person and persons who have aided, abetted, advised, or assisted in any war against the parliament since the first day of January one thousand six hundred forty-one, (unless he or they have since borne arms for the parliament or your highness, or otherwise given signal testimony of his or their good affection to the

commonwealth, and continued faithful to the same,) and all such as have been actually engaged in any plot, conspiracy, or design against the person of your highness, or in any insurrection or rebellion in England or Wales since the sixteenth day of December one thousand six hundred fifty-three, shall be for ever disabled and made incapable to be elected, or give any vote in the election of any member, to sit or serve in parliament; that for Scotland none be capable to elect or be elected to sit or serve in parliament who have been in arms against the parliament of England, or against the parliament in Scotland, before the first day of April one thousand six hundred forty-eight, (except such as have since borne arms in the service of the parliament of England or your highness, or given other signal testimony of their good affection,) nor any that since the said first day of April one thousand six hundred forty-eight have been in arms, or otherwise aided, abetted, advised, or assisted in any war against the parliament of England or your highness, except such as since the first day of March one thousand six hundred fifty-one (old style) have lived peaceably, and thereby given testimony of their good affection to the parliament and your highness.

Provided, that nothing in this article contained shall extend to put any incapacity upon any English or Scotch protestants in Ireland, either to elect or be elected to serve in parliament, who before the first day of March one thousand six hundred forty-nine have borne arms for the parliament or your highness, or otherwise given signal testimony of their good affection to this commonwealth, and continued faithful to the same; that all votes and elections, given or made contrary, or not according to the qualifications aforesaid, shall be void and of none effect; and that if any person or persons so incapable as aforesaid shall give his or their vote for election of members to serve in parliament, all and every such person and persons so electing shall lose and forfeit one year's value of his and their respective real estates, and one full third part of his and their respective personal estates; the one moiety thereof to your highness, and the other moiety to him or them who shall sue for the same in any court of record by action of debt, bill, plaint, or information, wherein no essoign, wager of law, or protection shall be allowed; and that the persons who shall be elected to serve in parliament be such, and no other than such, as are persons of known integrity, fearing God, and of good conversation, and being of the age of twenty-one years, and not such as are disabled by the act of the seventeenth year of the late king, entitled, *An act for disenabling all persons in holy orders to exercise any temporal jurisdiction or authority, nor such as are public ministers or public preachers of the gospel.* Nor such as are

guilty of any of the offences mentioned in an act of parliament bearing date the ninth of August one thousand six hundred and fifty, entitled, *An act against several atheistical, blasphemous, and execrable opinions, derogatory to the honour of God and destructive to human society:* no common scoffer nor reviler of religion, or of any person or persons for professing thereof; no person that hath married or shall marry a wife of the popish religion, or hath trained or shall train up his child or children, or any other child or children under his tuition or government, in the popish religion, or that shall permit or suffer such child or children to be trained up in the said religion, or that hath given or shall give his consent that his son or daughter shall marry any of that religion; no person that shall deny the Scriptures to be the word of God, or the sacraments, prayer, magistracy, and ministry to be the ordinances of God; no common profaner of the Lord's day, nor profane swearer or curser, no drunkard or common haunter of taverns or alehouses: and that these qualifications may be observed, and yet the privilege of parliament maintained, we desire that it may be by your highness's consent ordained, that forty-one commissioners be appointed by act of parliament, who, or any fifteen or more of them, shall be authorized to examine and try whether the members to be elected for the house of commons in future parliaments be capable to sit, according to the qualifications mentioned in this *petition and advice;* and in case they find them not qualified accordingly, then to suspend them from sitting until the house of commons shall upon hearing of their particular cases admit them to sit; which commissioners are to stand so authorized for that end, until the house of commons in any future parliament shall nominate the like number of other commissioners in their places; and those other commissioners, so to be nominated in any future parliament, to have the same powers and authorities: that the said commissioners shall certify in writing to the house of commons, on the first day of their meeting, the causes and grounds of their suspensions of any persons so to be elected as aforesaid; that the accusation shall be upon the oath of the informer or of some other person; that a copy of the accusation shall be left by the party accusing, in writing under his hand, with the party accused, or, in his absence, at his house, in the county, city, or town for which he shall be chosen, if he have any such house; or if not, with the sheriff of the county, if he be chosen for a county, or with the chief magistrate of the city or borough for which he is chosen; and that the number of persons to be elected and chosen to sit and serve in parliament, for England, Scotland, and Ireland, and the distribution of the persons so chosen within the counties, cities, and boroughs of

them respectively, may be according to such proportions as shall be agreed upon and declared in this present parliament.

659 V.

That your highness will consent, that none be called to sit and vote in the other house but such as are not disabled, but qualified according to the qualifications mentioned in the former article, being such as shall be nominated by your highness and approved by this house; and that they exceed not seventy in number, nor be under the number of forty, (whereof the quorum to be one and twenty,) who shall not give any vote by proxies; and that as any of them do die, or be legally removed, no new ones be admitted to sit and vote in their rooms but by consent of the house itself: that the other house do not proceed in any civil causes, except in writs of error, in cases adjourned from inferior courts into the parliament for difficulty, in cases of petitions against proceedings in courts of equity, and in cases of the privileges of their own house: that they do not proceed in any criminal causes whatsoever, against any person criminally, but upon an impeachment of the commons assembled in parliament and by their consent; that they do not proceed in any cause, either civil or criminal, but according to the known laws of the land, and the due course and custom of parliament; that no final determinations or judgments be by any members of that house, in any cause there depending, either civil, criminal, or mixed, as commissioners or delegates to be nominated by that house; but all such final determinations and judgments to be by the house itself, any law or usage to the contrary notwithstanding.

VI.

That in all other particulars which concern the calling and holding of parliaments, your highness will be pleased that the laws and statutes of the land be observed and kept, and that no laws be altered and suspended, abrogated or repealed, or new law made, but by act of parliament.

VII.

And to the end there may be a constant revenue for support of the government, and for the safety and defence of these nations by sea and land, we declare our willingness to settle forthwith a yearly revenue of thirteen hundred thousand pounds, whereof ten hundred thousand pounds for the navy and army, and three hundred thousand pounds for the support of the government, and no part thereof to be raised by a land tax; and this not to be altered without the consent of the three estates in parliament; and to grant such other temporary supplies, according as the commons assembled in parliament shall

from time to time adjudge the necessities of these nations to require; and do pray your highness, that it be declared and enacted, that no charge be laid, nor no person be compelled to contribute to any gift, loan, benevolence, tax, tallage, aid, or other like charge, without common consent by act of parliament, which is a freedom the people of these nations ought by the laws to inherit.

VIII.

That none may be added or admitted to the privy-council of your highness or successors, but such as are of known piety and undoubted affection to the rights of these nations and a just Christian liberty in matters of religion, nor without consent of the council, to be afterwards approved by both houses of parliament, and shall not afterwards be removed but by consent of parliament, but may in the intervals of parliament be suspended from the exercise of his place by your highness or your successors and the council for just cause, and that the number of the council shall not be above one and twenty, whereof the quorum to be seven, and not under; as also that after your highness's death, the commander in chief under your successors, of such army or armies as shall be necessary to be kept in England, Scotland, or Ireland, as also all such field-officers at land, or generals at sea, which after that time shall be newly made and constituted by your successors, be by consent of the council and not otherwise; and that the standing forces of this commonwealth shall be disposed of by the chief magistrate, by consent of both houses of parliament, sitting the parliament; and in the intervals of parliament, by the chief magistrate by the advice of the council: and also that your highness and successors will be pleased to exercise your government over these nations by the advice of your council.

IX.

And that the chancellor, keeper or commissioners of the great seal of England, the treasurer or commissioners of the treasury there, the admiral, the chief governor of Ireland, the chancellor, keeper or commissioners of the great seal of Ireland, the chief justices of both the benches, and the chief baron in England and Ireland, the commander in chief of the forces in Scotland, and such officers of state there as by act of parliament in Scotland are to be approved by parliament, and the judges in Scotland hereafter to be made, shall be approved of by both houses of parliament.

X.

And whereas your highness, out of your zeal to the glory of God and the propagation of the gospel of the Lord Jesus Christ, hath been pleased to encourage a godly ministry in these nations, we earnestly desire that such as do openly revile them or their assem-

blies, or disturb them in the worship or service of God, to the dishonour of God, scandal of good men, or breach of the peace, may be punished according to law, and where the laws are defective, that your highness will give consent to such laws as shall be made in that behalf.

XI.

That the true protestant Christian religion, as it is contained in the holy scriptures of the Old and New Testament, and no other, be held forth and asserted for the public profession of these nations; and that a confession of faith to be agreed by your highness and the parliament, according to the rule and warrant of the scriptures, be asserted, held forth, and recommended to the people of these nations, that none may be suffered or permitted, by opprobrious
660 words or writing, maliciously or contemptuously to revile or reproach the confession of faith to be agreed upon as aforesaid; and such who profess faith in God the Father and in Jesus Christ his eternal Son, the true God, and in the Holy Spirit, God coequal with the Father and the Son, one God blessed for ever, and do acknowledge the holy scriptures of the Old and New Testament to be the revealed will and word of God, and shall in other things differ in doctrine, worship, or discipline from the public profession held forth, endeavours shall be used to convince them by sound doctrine and the example of a good conversation: but that they may not be compelled thereto by penalties nor restrained from their profession, but protected from all injury and molestation in the profession of the faith and exercise of their religion, whilst they abuse not this liberty to the civil injury of others or the disturbance of the public peace; so that this liberty be not extended to popery or prelacy, or to the countenancing such who publish horrible blasphemies, or practise or hold forth licentiousness or profaneness under the profession of Christ; and that those ministers or public preachers, who shall agree with the public profession aforesaid in matters of faith, although in their judgment and practice they differ in matters of worship and discipline, shall not only have protection in the way of their churches and worship respectively, but be esteemed fit and capable, notwithstanding such difference, (being otherwise duly qualified and duly approved,) of any trust, promotion, or employment whatsoever in these nations, that any ministers who agree in doctrine, worship, and discipline with the public profession aforesaid are capable of; and all others, who agree with the public profession in matters of faith, although they differ in matters of worship and discipline as aforesaid, shall not only have protection as aforesaid, but be esteemed fit and capable (notwithstanding such difference, being

otherwise duly qualified) of any civil trust, employment, or promotion in these nations; but for such persons who agree not in matters of faith with the public profession aforesaid, they shall not be capable of receiving the public maintenance appointed for the ministry; provided, that this clause shall not be construed to extend to enable such ministers or public preachers or pastors of congregations, but that they be disenabled, and they are hereby disenabled, to hold any civil employment which those in orders were or are disenabled to hold by an act entitled, *An act for disenabling all persons in holy orders to exercise any temporal jurisdiction or authority:* and that your highness will give your consent that all laws, statutes, ordinances, and clauses in any law, statute, and ordinance, so far as they are contrary to the aforesaid liberty, be repealed.

XII.

That all acts and ordinances of parliament made for the abolishing of archbishops and bishops, and for the abolishing of deans, deans and chapters, canons, prebends, and other officers and titles, of or belonging to any cathedral or collegiate church or chapel, and for the sale or other disposition of the lands, rents, and hereditaments, unto any or either of them belonging; or for the sale or other disposition of the lands, rents, and hereditaments of the late king, queen, or prince; or of the lands of delinquents, fee-farm, or other rents, forest-lands, or any of them, or any other lands, tenements, rents, or hereditaments, lately belonging to the commonwealth, shall no way be impeached, but that they do remain good and firm. And that the security given by act and ordinance of parliament for any sum or sums of moneys by any of the said lands, the excise, or by any other public revenue, and also the securities given by the public faith of the nation, and the engagement of the public faith for satisfaction of debts, may remain firm and good, and not be made void by any pretence whatsoever.

XIII.

That all and every person and persons who have aided, abetted, advised, or assisted in any war against the parliament since the first day of January 1641, (unless he or they have since borne arms for the parliament or your highness, or otherwise given signal testimony of his or their good affection to the commonwealth, and continued faithful to the same,) and all such as have been actually engaged in any plot, conspiracy, or design against the person of your highness, or in any insurrection or rebellion in England or Wales since the sixteenth of December 1653; and for Scotland, that all and every person and persons who have been in arms against the parliament of England, or against the parliament in Scotland, before the first

day of April 1648, (except such as have since borne arms in the service of the parliament of England or your highness, or given other signal testimony of their good affection,) and every person or persons that since the said first day of April 1648 have been in arms, or otherwise aided, abetted, advised, or assisted in any war against the parliament of England, or your highness, (except such persons who having been in arms, or otherwise abetted, advised, or assisted in any war agains tthe parliament of England or your highness since the first day of April 1648, and were not in arms against the parliament of England or against the parliament of Scotland before the first day of April 1648, and have since the first day of March 1651 (old style) lived peaceably, and thereby given testimony of their good affection to the parliament and your highness) be made incapable for ever of holding or enjoying of any office or place of public trust in these three nations or any of them.

Provided, that nothing in this article contained shall extend to put any incapacity in this article mentioned upon any English or Scottish protestants in Ireland who before the first day of March 1649 have borne arms for the parliament or your highness, or otherwise given signal testimony of their good affection to this commonwealth, and continued faithful to the same.

XIV.

And that your highness will be pleased to consent, that nothing in this *petition and advice* contained, nor your highness's assent thereto, shall be construed to extend to the dissolving of this present parliament; but that the same shall continue and remain until such time as your highness shall think fit to dissolve the same.

XVI.

661 And that nothing contained in this *petition and advice*, nor your highness's consent thereunto, shall be construed to extend to the repealing or making void of any act or ordinance which is not contrary hereunto, or to the matters herein contained; but that the said acts and ordinances. not contrary hereunto, shall continue and remain in force, in such manner as if this present *petition and advice* had not at all been had or made, or your highness's consent thereunto given.

XVII.

And that all writs issued out of the chancery, and all writs and patents of the justices of the one bench and of the other, barons of the exchequer, commissions of oyer and terminer, gaol delivery, and justices of the peace, and all other commissions, patents, and grants, made and passed under the great seal of England, Scotland, or Ireland, shall stand good and effectual in the law, notwithstanding this *petition and advice*, or your highness's assent thereunto, or any law,

statute, or custom to the contrary; and that all writs, and all commissions, indictments, informations, process, actions, suits, bills, or plaints, taken out, or now depending in any court of record at Westminster, or any other court of record in England, Scotland, or Ireland, or in the town of Berwick upon Tweed; and all process, pleas, demurrers, continuances, and proceedings in every such writs, indictments, informations, actions, suits, bills, and plaints, shall be returnable, stand good and effectual, and be prosecuted and sued forth, in such manner and form, and in the same state, condition, and order, the style and test of proceedings, after passing of these presents, being made conformable thereunto, this present petition and advice, or your highness's assent thereunto, or any law, custom, or usage to the contrary thereof in any wise notwithstanding; and that any variance that shall be occasioned by reason thereof, touching any the said writs, process, or proceedings in the name, style, test, or otherwise, shall not be in any wise material as concerning any default or error to be alleged or objected thereunto.

XVIII.

And that your highness and your successors will be pleased to take an oath, in such form as shall be agreed upon by your highness and this present parliament, to govern these nations according to the law.

And in case your highness shall not be satisfied to give your consent to all the matters and things in this *humble petition and advice*, that then nothing in the same be deemed of force to oblige the people of these nations in any the particulars therein contained.

And these our desires being granted by your highness, we shall hope (through the rich mercy and goodness of God) that it will prove some remedy to those dangers, distractions, and distempers which these nations are now in, and be an effectual means to remove those jealousies and fears which remain in the minds of many men concerning the government of this commonwealth; and thereby we shall be enabled and encouraged with all cheerfulness, to the settling of such things which shall be further necessary for the good of these nations, and be most ready to join with you in promoting the work of reformation, happily begun by your highness, the regulating courts of justice, and abridging both the delays and charges of lawsuits, and apply ourselves to such other courses and counsels as may be most like to heal our breaches and divisions, and to restore these poor nations to a union and consistency with themselves, and to lay a foundation of further confidence between your highness and them, to the rejoicing of the hearts of our friends and terror of our enemies.

His highness's answer thereunto (after a solemn speech to them) read by the clerk of the parliament in these words: *The lord protector doth consent.*

26. Further consideration of the settlement of the nation by the parliament.

28. A letter from the protector to the house with a petition enclosed from the army in Ireland, which the house referred to the committee for Ireland.

June 1657.

1. A bill for maintenance of ministers in the city of Bristol.

3. A day of thanksgiving for the success of general Blake against the Spanish fleet at Sancta Cruz.

4. A bill for the better choosing of persons into places of trust.

9. The house went to the painted chamber where the protector met them, and made a solemn speech to them in answer to the speech of the speaker to him, and passed these bills following:

An act for an assessment upon England, at the rate of 60,000*l.* by the month, for three months, from the 25th day of March 1657 to the 24th day of June then next ensuing.

An act for limiting and setting the prices for wines.

An act for the taking away of purveyance and compositions for purveyance.

An act against vagrants and wandering idle dissolute persons.

An act giving license for transporting fish in foreign bottoms.

An act for three months' assessment in Ireland, for the maintenance of the Spanish war, and other services of the commonwealth.

13. The humble additional and explanatory petition and advice debated in the house.

19. I furthered a bill for the surveying of some forests, and a bill for ascertaining the public faith debts.

20. Much debate was upon the bill for restraint of new buildings in and about London.

Letters from the protector to the speaker for putting off the adjournment of the parliament for four or five days.

22. I furthered the passing of a bill for importation of bullion.

23. A committee to prepare an oath to be taken by the lord protector, and for the solemnization and publishing of his highness's acceptance of the government, and touching the settling of his highness's council. Oath.

I furthered the passing of an act of indemnity.

24. Upon a report from the committee and some amendments, the house agreed to the form of an oath to be taken by the protector; and to another oath to be taken by his council; and an oath was agreed to be taken by the members of parliament; and they agreed to a paper touching the summoning such persons before the next meeting of parliament; and who are to serve as members in the other house of parliament, according to *the humble petition and advice;* and they agreed touching the solemnities of his inauguration. 662 Other house.

A committee appointed to acquaint the protector with these votes, and to show him the oaths, and to desire him to appoint times for the execution of them, and for his consent to the bills passed the house.

25. Sir Harbottle Grimston published the reports of judge Crook.

26. The parliament ordered the master of the ceremonies to give notice to foreign ambassadors and ministers of the inauguration of the protector. Inauguration.

Order for the commissioners of the seal, with advice of the judges, to prepare and frame a writ for summoning the members of the other house of parliament to meet at such time and place as shall be appointed by his highness; and the commissioners are to seal such writs, and to issue them out to such persons as his highness under his sign manual shall direct and appoint.

A bill passed for adjourning the parliament from this 26th of June to the 20th of January next.

A place being prepared at the upper end of Westminster-hall, in the midst of it was a rich cloth of state set up, and under it a chair of state upon an ascent of two degrees, covered with carpets; before it a table, and a chair by it for the speaker; on each side of the hall were seats built one above another, and covered, for the members of the parliament; below them seats on the one side for the judges, and on the other side for the lord mayor and aldermen of London.

About two of the clock in the afternoon the protector met

the parliament, and gave his consent to some bills; then the speaker and members went to their places in Westminster-hall, and the judges and aldermen took their places; a little time after this, his highness came, attended with his own gentlemen, and with the heralds, sergeants-at-arms, the officers, commissioners of the seal and of the treasury, and his council: the earl of Warwick carried the sword before him, and the lord mayor of London carried the city sword.

His highness standing under the cloth of state, the speaker, in the name of the parliament, presented to him,

1. A robe of purple velvet, lined with ermine, which the speaker, assisted by me and others, put upon his highness; then he delivered to him the Bible richly gilt and bossed; after that, the speaker girt the sword about his highness, and delivered into his hand the sceptre of massy gold, and then made a speech to him upon those several things presented to him, wishing him all prosperity in his government, and gave him the oath; and Mr. Manton, by prayer, recommended his highness, the parliament, the council, the forces by land and sea, and the whole government, and people of the three nations, to the blessing and protection of God.

After this, the people gave several great shouts, and the trumpets sounding; the protector sat in the chair of state, holding the sceptre in his hand: on his right side sat the ambassador of France, on the left side the ambassador of the United Provinces; near to his highness stood his son Richard, the lord deputy Fleetwood, Claypole, master of the horse, his highness's council, and officers of state; the earl of Warwick held the sword on the right side of the chair, and the lord mayor of London held the city sword on the left hand of the chair; near the earl of Warwick stood the lord viscount Lisle, general Mountague, and I, each of us having a drawn sword in our hands.

Then the trumpets sounded, and an herald proclaimed his highness's title, and proclamation was made, and loud acclamations of the people, *God save the lord protector!* The ceremonies being ended, his highness having his train carried by the lord Sherwood, Mr. Rich, the earl of Warwick's grandchild, and by the lord Roberts his son, accompanied by the ambassadors, and attended as before, went in state to Westminster-hall gate, where he took his rich coach.

In the upper end of it himself sat in his robes; in the other end sat the earl of Warwick, in one boot sat his son Richard, and I with a drawn sword in my hand; and in the other boot sat the lord viscount Lisle and general Mountague, with swords drawn in their hands; Claypole led the horse of honour in rich caparisons; the lifeguard and other guards attended the coach; the officers and the rest followed in coaches to Whitehall.

The speaker and members of parliament went to the house, where they passed some votes, and ordered them to be presented to his highness. Then, according to the act of parliament, the house adjourned itself till the 20th of January next.

The bills passed by his highness this parliament, besides those mentioned before, were,

An act for the preventing of the multiplicity of buildings in and about the suburbs of London, and within ten miles thereof. Acts.

An act for quiet enjoying of sequestered parsonages and vicarages by the present incumbent.

An act for discovering, convicting, and repressing of popish recusants.

An act and declaration, touching several acts and ordinances made since the 20th of April 1653, and before the third of September 1654, and other acts, &c.

Instructions agreed upon in parliament for Joseph Ayloffe, Thomas Skipwith, Jeremy Banes, Adam Ayre, esq., James Robinson, and William Marr, gent., commissioners for surveying the forest of Sherwood; Robert Frank, John Kensey, Thomas Wats, esq., and George Sergeant, gent., commissioners for surveying the forest or chase of Needwood; James Stedman, Robert Taylor, Thomas Tanner, esq., and John Halsey, gent., commissioners for surveying the forest or chase of Kingswood; Henry Dewell, William Dawges, Joseph Gamage, esq., Richard Johnson, gent., commissioners for surveying the forest or chase of Ashdown, or Lancaster great park; John Baynton, Hugh Webb, esq., major Rolph, and Nicholas Gunton, gent., commissionors for surveying Enfield-chase; in pursuance of an act of this present parliament, entitled, *An act and declaration, touching several acts and ordinances made since the 20th of April 1653, and before the third of September 1654, and other acts, &c.*

An act for punishing of such persons as live at high rates and have no visible estate, profession, or calling answerable thereunto.

An act for indemnifying of such persons as have acted for the service of the public.

663 An act for the better observation of the Lord's day.

An act for raising of 15,000*l.* sterling in Scotland.

An act for an assessment at the rate of 35,000*l.* by the month upon England, 6000*l.* by the month upon Scotland, and 9000*l.* by the month upon Ireland, for three years, from the twenty-fourth of June 1657 for a temporary supply towards the maintenance of the armies and navies of this commonwealth.

An additional act for the better improvement and advancing the receipts of the excise and new impost.

A book of values of merchandise imported, according to which excise is to be paid by the first buyer.

An act for continuing and establishing the subsidy of tonnage and poundage, and for reviving an act for the better packing of butter, and redress of abuses therein.

An act for the better suppressing of theft upon the borders of England and Scotland, and for discovery of highwaymen and other felons.

An act for the improvement of the revenue of the customs and excise.

An act for the assuring, confirming, and settling of lands and estates in Ireland.

An act for the attainder of the rebels in Ireland.

An act for the settling of the postage of England, Scotland, and Ireland.

An act for the adjournment of this present parliament from the 26th of June 1657 unto the 20th of January next ensuing.

The humble additional and explanatory petition and advice, in these words:

To his highness the lord protector of the commonwealth of England, Scotland, and Ireland, and the dominions and territories thereunto belonging.

The humble additional and explanatory petition and advice of the knights, citizens, and burgesses now assembled in the parliament of this commonwealth.

Whereas, upon the humble petition and advice of the said knights,

citizens, and burgesses now assembled in the parliament of this commonwealth, lately presented and consented unto by your highness, certain doubts and questions have arisen concerning some particulars therein comprised; for explanation whereof, may it please your highness to declare and consent unto the additions and explanations hereafter mentioned, and may it be declared with your highness's consent.

In the fourth article.

That such person and persons as invaded England under duke Hamilton in the year 1648, or advised, consented, assisted, or voluntarily contributed unto that war, and were for that cause debarred from public trust by the parliament of Scotland, be incapable to elect or be elected to sit and serve as members of parliament, or in any other place of public trust, relating unto the fourth and thirteenth articles in *the petition and advice*, excepting such as since have borne arms for your highness or the parliament, or have been admitted to sit and serve in the parliament of this commonwealth, and are of good life and conversation, or such as shall hereafter be declared by your highness, with the advice of your council, to have given some signal testimony of their good affection and continuance in the same.

That the proviso in the said fourth article be explained thus, viz. That such English and Scottish protestants, who (since the defection of the earl of Ormond and the lord Inchequin, and before the first day of March 1649) have borne arms for and ever since continued faithful to the parliament or your highness, or have otherwise (before the said first day of March 1649) given signal testimony of their good affection to this commonwealth, and have ever since continued faithful to the same, shall not be debarred or deemed incapable of electing or being elected to serve in parliament.

And whereas, in the said fourth article, public ministers, or public preachers of the gospel, are disabled to be elected to serve in parliament; it is hereby explained and declared to extend to such ministers and preachers only as have maintenance for preaching, or are pastors or teachers of congregations.

In the said fourth article.

That instead of commissioners to be appointed by act of parliament to examine and try whether the members to be elected for the house of commons in future parliaments be capable to sit according to the qualifications mentioned in the said *petition and advice*, there shall be the penalty and fine of 1000*l.* laid and inflicted upon every such unqualified member (being so adjudged) by the

said house of commons, and imprisonment of his person until payment thereof.

And that the ensuing clauses in the said article—viz. "We desire that it may be by your highness's consent ordained, that forty-one commissioners be appointed by act of parliament, who, or any fifteen or more of them, shall be authorized to examine and try whether the members to be elected for the house of commons in future parliaments be capable to sit according to the qualifications mentioned in this *petition and advice*, and in case they find them not qualified accordingly, then to suspend them from sitting until the house of commons shall, upon hearing of their particular cases, admit them to sit; which commissioners are to stand so authorized for that end, until the house of commons in any future parliament shall nominate the like number of other commissioners in their places: and those other commissioners, so to be nominated in any future parliament, to have the same powers and authorities. That the said commissioners shall certify in writing to the house of commons, on the first day of their meeting, the causes and grounds of their suspensions of any persons so to be elected as aforesaid; that the accusation shall be upon the oath of the informer, or of some other person. That a copy of the accusation shall be left, by the party accusing, in writing under his hand, with the party accused, or in his absence, at his house in the county, city, or town for which he shall be chosen, if he have any such house, or if not, with the sheriff of the county, if he be chosen for a county, or with the chief magistrate of the city or borough for which he is chosen"—shall not be put in execution, or made use of, but shall be void, frustrate, null and of none effect, and shall be so construed and taken to all intents and purposes whatsoever, any thing contained in the said *petition and advice* to the contrary notwithstanding.

664 In the fifth article.

That the nomination of the persons to supply the place of such members of the other house as shall die or be removed shall be by your highness and your successors.

In the seventh article.

That the moneys directed to be for the supply of the sea and land forces be issued by advice of the council, and that the treasurer or commissioners of the treasury shall give an account of all the said money to every parliament.

That the officers of state and judges, in the ninth article of the said *petition and advice* mentioned, shall be chosen, in the intervals of parliament, by the consent of the council, to be afterwards approved by parliament.

That your highness will be pleased, according to the usage of former chief magistrates in these nations, and for the better satisfaction of the people thereof, to take an oath in the form ensuing:

"I do, in the presence and by the name of God Almighty, promise and swear, that to the uttermost of my power I will uphold and maintain the true reformed protestant Christian religion, in the purity thereof, as it is contained in the holy scriptures of the Old and New Testament, to the uttermost of my power and understanding, and encourage the profession and professors of the same; and that to the utmost of my power I will endeavour, as chief magistrate of these three nations, the maintenance and preservation of the peace and safety, and of the just rights and privileges of the people thereof; and shall in all things, according to my best knowledge and power, govern the people of these nations according to law."

That your highness's successors do, before they take upon them the government of these nations, take an oath in the form aforesaid.

That all such persons who now are or shall hereafter be of the privy council of your highness or successors, before they or either of them do act as councillors, shall respectively take an oath, before persons to be authorized by your highness and successors for that purpose, in the form following:

"I, *A. B.* do, in the presence and by the name of God Almighty, promise and swear, that, to the uttermost of my power in my place, I will uphold and maintain the true reformed protestant Christian religion, in the purity thereof, as it is contained in the holy scriptures of the Old and New Testament, and encourage the profession and professors of the same; and that I will be true and faithful to his highness the lord protector of the commonwealth of England, Scotland, and Ireland, and the dominions thereto belonging, as chief magistrate thereof, and shall not contrive, design, or attempt any thing against the person or lawful authority of his said highness, and shall keep secret all matters that shall be treated of in council, and put under secrecy, and not reveal them but by command or consent of his highness, the parliament, or the council, and shall in all things faithfully perform the trust committed to me as a councillor according to the best of my understanding, in order to the good government, peace. and welfare of these nations."

That the same oath be taken by the members of your highness's council of Scotland and Ireland.

That every person who now is or hereafter shall be a member of either house of parliament, before he sit in parliament, shall, from

and after the first day of July 1657, take an oath, before persons to be authorized and appointed by your highness and successors for that purpose, in the form following:

"I, *A. B.* do, in the presence and by the name of God Almighty, promise and swear, that, to the uttermost of my power in my place, I will uphold and maintain the true reformed protestant Christian religion, in the purity thereof, as it is contained in the holy scriptures of the Old and New Testament, and encourage the profession and professors of the same, and that I will be true and faithful to the lord protector of the commonwealth of England, Scotland, and Ireland, and the dominions and territories thereunto belonging, as chief magistrate thereof; and shall not contrive, design, or attempt any thing against the person or lawful authority of the lord protector, and shall endeavour, as much as in me lies, as a member of parliament, the preservation of the rights and liberties of the people."

That your highness would be pleased, in convenient time, before the next meeting of this parliament, to cause several summons in due form of law to be issued forth to such persons as your highness shall think fit (being qualified according to *the humble petition and advice of the parliament*, whereto your highness hath consented) to sit and serve as members in the other house of parliament; by which summons the said persons shall be respectively commanded to be and personally to appear at a certain place and time, to be appointed by your highness, to give their advice and assistance, and to do such things, concerning the great and weighty affairs of this commonwealth, as to the other house of parliament doth appertain by the said *humble petition and advice*.

That the persons so summoned and assembled together shall be, and are hereby declared to be, the other house of parliament; and shall and may, without further approbation of this house, from such time of their meeting, proceed to do and perform all such matters and things as the other house of parliament ought to do and perform, and shall and may have and exercise all such privileges, powers, and authorities as the other house of parliament ought, by the aforesaid *humble petition and advice* to have and exercise; the said *humble petition and advice*, or any thing therein contained to the contrary thereof, notwithstanding.

Which petition being presented the twenty-sixth day of June 1657, his highness's answer thereunto was read by the clerk of the parliament in these words, *The lord protector doth consent*.

July 1657.

1. The protector was proclaimed in the city with great solemnity.

16. Letters of the victory obtained against the Muscovites, by grave Magnus de la Garde, in Liefland.

August 1657.

10. News of the death of general Blake, on shipboard, in his return from the Spanish coast, in Plymouth Sound. He was a man of as much gallantry and sincerity as any in his time, and as successful. Blake's death. 665

11. Vice-admiral Bodiley died. Bodiley dies.

13. News of the war proclaimed by the king of Denmark against the king of Sweden.

15. News of the engagement between the Swedes and Danes in Schonen, and that the Swedes had the better.

18. Order of the protector and council for releasing children taken up and put on shipboard by such as are called *spirits*, and for punishment of such persons. Spirits.

24. New plots against the protector discovered.

28. Applications to me about farming of the customs and excise, and reasons given against it.

29. Colonel Jephson was sent by the protector as a public agent to the king of Sweden, and by him I sent compliments to the king, and to some of my friends with the king. Colonel Jephson.

31. Mr. Meadow (one of Thurlow's secretaries) went a public agent from his highness to the king of Denmark.

September 1657.

2. The Portugal ambassador had audience.

4. The funeral of general Blake, which was performed with great solemnity.

14. The protector advised with me about the besieging of Dunkirk by the English and French forces, which were now drawn near to it.

16. The lord ambassador of France had audience of the protector.

17. News of the king of Sweden's driving the Danish forces out of Jutland, and his advancing near Scagan. Sweden

24. The lord Fairfax's daughter and heir was married to the duke of Buckingham. Duke of Buckingham.

25. Letters of the taking of Mardike by the English and French forces. Mardike.

29. The protector discoursed with much pleasure with me about the taking of Mardike.

30. News of the sea-fight between the Swedes and Danes, and that the Swedes got the better of it.

October 1657.

Scandalous ministry. 11. I was desired to meet the committee for ejecting scandalous and insufficient ministers, but I liked not the work.

13. Warrants sent to me to sign for 100,000*l.* per annum for the expenses of his highness's household, and for 1000*l.* for Mardike.

17. I constantly attended the business of the treasury.

25. The provost of Eton college, Mr. Rouse, being dead, I had some thoughts, and was advised by some friends, to endeavour to have the place of provost, a thing of good value, quiet and honourable, and fit for a scholar, and I was not wholly uncapable of it; I therefore made applications to his highness concerning it, but found him engaged, or at least seeming to be so, for another; my service was past, and therefore no necessity of a recompense; but this was reserved as a bait for some others to be employed by his highness.

30. The protector advised with me about encouraging the fishing trade.

Mardike. News of the enemy's attempt to regain Mardike, and how gallantly they were repulsed by sir John Reynolds and the English in the fort, and that the king of Scots was with them.

November 1657.

3. Applications to me from sir Charles Wolseley for his salary of 1000*l.* per annum to be paid as a counsellor.

I spake to his highness in favour of the poor lord Ruthen, and procured that his petition should be referred from his highness to the council for relief of the lord.

I, as a commissioner of the treasury, with many grandees, were present at the trial of the Pixe in the Tower.

Mayern. 5. Mrs. Mayern, daughter and heir of sir Theodore Mayern, the great and rich doctor of physic, made applications to the protector about matters of her estate. This young and wealthy lady was afterwards married to a French marquis of Mountpelion, who had hopes to make up his small fortune by this lady's great estate.

This marquis came into England, with letters from the king of France, and from the marshal Turene, to the pro-

tector, in favour of the marquis, who earnestly solicited the protector about it; and sir John Colladon, doctor of physic, with all the interest that he could make, as earnestly opposed the marquis, claiming a title to part of the estate, by sir Theodore Mayern's will, if his daughter died without issue.

The protector would do nothing in this business without my advice, and often sent for me when the marquis came to his highness, to be present to interpret what the marquis said, and to advise his highness what to do in the business; and I had many late and troublesome journeys between Chelsea and Whitehall upon this occasion; and his highness did very justly determine what belonged to him to do in it.

8. Soldiers were shipped for the service of the king of Sweden, which was furthered by my advice to the protector.

11. I attended my business of the treasury and the committee for the excise.

20. The commissioners of the treasury made several reports to the protector and council of arrears of money due to the state; and upon advice with them his highness and the council made several orders for the collecting and bringing in of those arrears.

December 1657.

1. News of the king of Sweden's proceedings in the isle of Funen.

3. The distaste between the protector and Bradshaw was perceived to increase. Bradshaw.

6. Order for the prosecution of some persons who had committed very great wastes and spoils in forests.

7. I persuaded the protector to take to heart and to further the relief of the poor persecuted protestants in the valleys of Piedmont, and to send an agent to the duke of Savoy to negotiate for favour to them, as other princes had done. Piedmont.

11. I received a writ of summons under the great seal, to sit as one of the members in the other house of parliament: the form of the writs was the same with those which were sent to summon the peers in parliament. They were in all sixty; among whom were divers noblemen, knights, and gentlemen of ancient families and good estates, and some colonels and officers of the army. Their names were as follow: Other house. 666

The lord Richard Cromwell, the protector's eldest son; the lord Henry Cromwell, his other son, lord deputy of Ireland;

Nathaniel Fiennes, John Lisle, lords commissioners of the great seal; Henry Lawrence, lord president of his highness's privy council; the lord Charles Fleetwood; Robert earl of Warwick; Edmund earl of Mulgrave; Edward earl of Manchester; William viscount Say and Seal; lord John Claypole, master of the horse; Philip viscount Lisle, eldest son to the earl of Leicester; Charles viscount Howard; Philip lord Wharton; Thomas lord Fauconbridge; lord John Desborough, lord Edward Mountague, generals at sea; George lord Eure; the lord Whitelocke; sir Gilbert Pickering; colonel William Sydenham; sir Charles Wolseley, baronet; major-general Philip Skippon; lord Strickland; colonel Philip Jones; sir William Strickland; Francis Rouse, esq.; John Fiennes, esq.; sir Francis Russel, baronet; sir Thomas Honywood, knight; sir Arthur Haselrigge, baronet; sir John Hobart; sir Richard Onslow, knight; sir Gilbert Gerard; sir William Roberts, knight; John Glyn, Oliver St. John, lords chief justices; William Pierpoint, esq.; John Jones, esq.; John Crew, esq.; Alexander Popham, esq.; sir Christopher Pack; sir Robert Tichborn; Edward Whaley, esq.; sir John Barkstead, knight, lieutenant of the Tower of London; sir George Fleetwood; sir Thomas Pride; Richard Ingolsby, esq.; sir John Hewson: James Berry, esq.; William Goffe, esq.; Thomas Cooper, esq.; Edmund Thomas, esq.; George Monk, commander-in-chief of his highness's forces in Scotland; David earl of Cassils in Scotland; sir William Lockart; sir Archibald Johnston of Wareston; William Steele, lord chancellor of Ireland; the lord Broghil, brother to the earl of Cork in Ireland; sir Matthew Tomlinson.

16. Colonel sir John Reynolds, who commanded the English forces that joined with the king of France, was in a pink coming over with colonel White and others from Mardike for England, and upon Goodwin sands the pink was cast away, and all the men in her were drowned: among them was one William de Vaux, a young man, a good scholar, and very ingenious, and being in a great storm in a former voyage, he vainly said, that if ever he went to sea again, he would be contented that God should let him be drowned. And now being again at sea, the judgment imprecated by him did fall upon him, and he was now drowned.

24. I and the rest of the commissioners of the treasury

prepared the business of the contract with commissioners for the excise and new impost.

25. Some congregations being met to observe this day, according to former solemnity, and the protector being moved that soldiers might be sent to suppress them, I advised him against it, as that which was contrary to the liberty of conscience, so much owned and pleaded for by the protector and his friends; but it being contrary to ordinances of parliament, (which I also opposed in the passing of them,) that these days should be so solemnized, the protector gave way to it, and those meetings were suppressed by the soldiers.

January 1657.

1. I having lent Mr. Rushworth some manuscripts, he attended me to show me his historical collections, as his highness had ordered.

3. A meeting of the gentlemen of the county of Bucks at Merchant-Tailors'-hall, where they had a great feast.

9. The lord Willoughby petitioned the protector for his highness's order to go into the country to despatch some necessary business in relation to his estate, and promising to return to prison; which petition the protector granted. Lord Willoughby.

12. The protector resolved to have a collection for the poor persecuted protestants of Piedmont. Piedmont.

20. The parliament met, according to their adjournment, and the members of the other house summoned by writ met, and sat in the lords' house, as the lords used to do formerly. The protector came thither, and the speaker with the house of commons being sent for by the black rod, came to the lords' house, where the protector made a solemn speech to them, but was short, by reason of his indisposition of health; and after him the lord commissioner Fiennes spake to them more at large: Parliament.

My lords and gentlemen of both the most honourable houses of parliament,

Amongst the manifold and various dispensations of God's providence of late years, this is one; and it is a signal and remarkable providence that we see this day in this place a chief magistrate and two houses of parliament. Jacob, speaking to his son Joseph, said, *I had not thought to have seen thy face, and lo, God hath showed me thy seed also:* meaning his two sons Ephraim and Manasseh. And may not Fiennes's speech.

many amongst us well say some years since, *We had not thought to have seen a chief magistrate again amongst us, and lo, God hath shown us a chief magistrate in his two houses of parliament?*

Now may the good God make them like Ephraim and Manasseh, that the three nations may be blessed in them, saying, *God make*
667 *thee like these two houses of parliament, which two, like Leah and Rachel, did build the house of Israel.*

May you do worthily in Ephrata, and be famous in Bethlehem: may it be your great business to procure the peace, the safety, and the prosperity of these three nations, and these things too; not for themselves only, but in order yet to greater and higher ends, the advancement of the kingdom of Christ amongst us, and the glory of God in the good of all men, but especially of the churches of God amongst men; which as they are God's most precious jewels and his chiefest care, so must they also hold the choicest place in the eyes and in the hearts of all those that act under him, and are clothed with his power and authority.

In order to the great and glorious end, you may please, in the first place, to reflect upon the posture that the three nations at the present are in; a posture (God be praised) of peace, as within ourselves, a quiet posture, a posture looking towards a settlement, a perfect settlement, and the blessed fruits thereof, justice and piety, plenty and prosperity. If we take care not to abuse the latter to the destruction of the former, surely we ought with all thankfulness to own and acknowledge the outgoings of God for good unto us: hitherto we ought to consider how far, through the good hand of God, upon the endeavours of his highness and the parliament before its adjournment, we are already advanced in this way and work.

After, you may please to foresee and avoid the dangerous rock which we may fall upon in our course, which may not only stop it, but cut it short, and totally disappoint us of ever arriving at the desired port.

In the next place, you may consider the opportunities and advantages you have at this time in your hands, by what the parliament hath already done, that you may improve them.

And lastly, you may cast your eyes upon the difficulties we lie under, and the impediments which lie in our way, that you may endeavour to remove them.

These things I can only speak to cursorily and generally; the full and thorough consideration of them will be the work of your many and serious debates and consultations, and will exercise not only your wisdom and industry, but also your faith and patience, which it may

please the Lord to accompany with his presence and assistance, and in the end to crown with his blessing and with success.

Into what condition the late wars and distractions had brought these nations, and what a cloud of darkness had covered the whole face of the government, (being void and in a manner without form,) we all know, and the three nations sadly felt, and were sensible of those further confusions that might have ensued. But it pleased God that light sprung up amongst us, and things began to move towards something of order and consistency,

But as yet the earth and the water were in one mass together; then were the waters beneath the firmament divided from those above the firmament; there was constituted a chief magistrate and a parliament, the one distinct from the other, that each one from his proper place might the better put forth its influence and usefulness for the good of the whole.

After, it pleased this parliament, by their *humble petition and advice*, to distinguish the parliament also into two houses; and that great and noble body of the waters retiring into their own receptacle, the dry land appeareth.

And what now remains, but that, by the sweet influence of that powerful Spirit that moved upon the waters, every herb should bring forth seed according to its kind, and every tree bring forth fruit according to its kind; and that the sun, moon, and stars, the ordinances of magistracy and ministry, should shine brightly in the firmament of heaven, in their greater and in their lesser lights, according to the proportion that God hath dispensed to each one: and that fish and fowls should multiply in the waters and in the air, and beasts and cattle of all sorts increase in the earth; that all trades, all professions, all ranks and degrees of men, might be subservient to that sound Adam and his spouse, Christ and his church, that they may be formed and set up amongst us, and placed in a garden of Eden with all freedom without fear or disturbance, they may enjoy all spiritual delights, and have communion with one another and with God; which though last in execution, I hope always was and always shall be the first and chiefest in our intentions.

The holy angels of God, when the foundations of the earth were laid, did not say, *Here is a rude mass of earth and water, here is indeed a little light, but where is heaven, sun, moon, and stars, nay, where is man made after the image of God?* but on the contrary, as is witnessed from the mouth of God himself, when the foundations of the world were fastened, and only the cornerstone thereof laid, *the morning*

stars sang all together, and all the sons of God shouted for joy. From whence we may discover one, and that a most dangerous rock, which if not heeded we may split upon; it is a spirit of discontent and dislike of the present dispensations of God, because all things are not perfect in an instant, and such as is to be wished they were, and such as possibly, in God's due time, they may be.

If the present parliament at their first meeting had given way to such a spirit as that, and had not, (God assisting them so to do,) on the contrary, put on a spirit of patience, and resolution to rectify, as far as in them lay, what was amiss, to improve what was good, and to make the best of what God laid before them, pressing on to settlement and perfection, as God should open them a way, without attending either to rumours or humours of any sort, as there were enough of all kinds to have discouraged them and diverted them in their work; I say, if they had given way to such a spirit as that, I know not where we might have been by this time. But now, blessed be God, we know where we are in some measure, and that we are in a hopeful way of settlement, safety, and prosperity. You did run well, let no man hinder you: I do not know that it would be an uncharitable wish, to wish them even cut off that shall trouble you, and trouble the peace of the nation; but I am sure it is a Christian wish and prayer to bid you *God speed* in your way and in your work, for the further settlement of these nations; being confident that the child unborn will have cause to bless you for what
668 you have already done, and what by God's grace you may yet further do for their good.

Those that create new troubles in a nation seldom attain either the ends held forth in their goodly pretensions, or indeed aimed at in their good intentions, (if any such they have,) but usually something falleth out in the end of the tragedy much contrary to their expectation; and ordinarily something of greater mischief and confusion than ever they felt before. Those that throw fire upon a house, cannot say, when the flame is once broken out, that it shall go so far or so far, and no further; the fire, when once broken forth, will after take its own course, or such a way as boisterous and tempestuous wind shall carry it. Those that shall pluck up the floodgates of the great deep, and let in the surging and raging waves of war into a nation, cannot stop them, and bound them when and where they please; he only can do that who first sets bounds and doors unto them, and said, *Hitherto shalt thou come and no further, and here shall thy proud waves be stayed.* Let us therefore beware of the crafty devices of that subtle and malicious serpent, that he be-

guile us not, and that there arise not in any of us an evil heart of unbelief, to depart from our steadfastness, and from our fixed resolution *to seek peace and ensue it.*

There is an evil root, and it is one and the same root, though two different and contrary fruits spring from it, but both tending to one and the same end, which is to overthrow our great end, the peace and quiet of these nations; and the blessed fruits that grow upon them, more precious than the peace itself, though that be a great blessing of and in itself.

This root is a root of bitterness and discontent at the present dispensations of God; the different fruits thereof are a restive and a restless spirit. The former causeth men, because they cannot have all that they will, and when they will, to throw up all in a discontent, and refuse to go God's way, and God's pace, because they cannot go their own: the other spirit causeth men to be always restless, to be always digging up foundations, to be turning and overturning and disliking all things.

As to the first sort, if they would but consider the example of the great workman and Creator of this bountiful universe, in the order and manner of his creation thereof, they might therein behold, as in a mirror, the perfect idea of the method and manner of his working also, in the continual course of his providence, in the preservation and government of the world, and might be taught how to order their thoughts and themselves in relation to the gradual dispensations of God, and learn their own duty as they are called to act under the same, and in subserviency thereunto. Not only God's rest, but also his working was exemplary: as God rested the seventh day, so must men; as God wrought the six days, so must men, as well those which are to work with the head as with the hand, as well rich as poor, as well high as low; none are too high to imitate the Most High, none must be idle, but every one must serve God and his country according to his calling; and that call cannot but be warrantable which is necessary, and that is necessary which God by his providence so orders that a man must act by it or not at all; and that he should not act at all, is neither agreeable to God's commandment nor his example.

Thus as to the substance of God's working, but the very order and manner of it hath also a teaching in it.

No doubt, if it had seemed good to the divine wisdom, that powerful breath, which called something out of nothing, could in the same breath and in the same instant have given it its whole and entire beauty and perfection; but he was pleased to create it by degrees, and to proceed from one measure of perfection to another: when he

had drawn the first line thereof, he did not dislike his own work and throw it up, though the earth was *void* and *without form*, and *darkness was upon the face of the deep*, but went on to create light, and though it was still mixed with darkness, even before he had divided the darkness from the light, *he saw it was good;* and so at every period of his work, he owned the good that was already in being, and then went on till he had perfected the whole; and when he had viewed all his works together, he then saw they were all very good. What should this teach us, but that we should thankfully own and receive every degree of good which God reacheth forth unto us; and with faith and patience wait upon his footsteps, following him from one step of perfection to another, till we arrive at the end of his works, and then, as we found the parts thereof good, we shall find them all together very good; and if God, who could have made his works perfect in an instant, yet was pleased to perfect them by degrees, surely he would have us learn not to quarrel at the works of men if they are not all perfect in a day; nay, if we will take God for our pattern, (as all the excellency that is in the creature is so far forth as there is found in it some shadow and resemblance of its Creator,) though there be not only defects, but also real evils in things, yet men ought not to sit still, and let them take their course, but to endeavour to amend them if they can, or otherwise to draw good out of them if they may; for although to do evil that good may come of it is a doctrine of devils, yet to draw good out of evil is an high imitation of God.

As to that other sort of spirit, that is overbusy, and is always turning up foundations, I might have forborne to say any thing of it to you, unto whom I address my speech, as in relation to yourselves; for that either you yourselves have advised the settling that foundation we now stand upon or else are laid upon it, or at least are or should be all sworn to it; and as to others, who would build upon contrary foundations, or upon no certain foundation, departing from and not perfecting that which is already so well laid, (which may be equally destructive to our great and good end of settlement,) I need not say much to them neither; for those which conceit either Utopias of I know not what kind of imaginary commonwealths, or day dreams of the return of I know not what golden age with the old line. Their notions are rather bottomed in conceit than in reason, and must rather be worn out by experience than argued down by reason; for when they come to be put in practice, they presently discover their
669 weakness and inconsistency, and that they are altogether unpracticable and infeasible, or of very short durance and continuance, as hath appeared so often as they have been assayed or attempted:

nay, as to the latter, there seemeth to be τὶ θεῖον *aliquid divini* to the contrary, there having been so constant and strong a current of providences against it, that whosoever have attempted to stem that tide have not only been carried violently back again, but also driven upon rocks, whereupon they have shipwrecked themselves in the attempt, not unlike to those Jews whom Julian the Apostate, in despite of Christ, set to rebuild the temple at Jerusalem upon its old foundation; out of which balls of wildfire issuing forth, affrighted and destroyed the workmen, and made them desist from their work. Indeed our author, (and that party amongst us doth the like,) being a heathen, and a great friend of Julian, would not acknowledge the hand of God in it, but imputed it to a strange accident, to the pertinacy of the element, *pertinacia elementi crebris insultibus terruit operarios*, but yet it made them desist from their work; so will not that party amongst us, no demonstrations of God's hand against them will prevail with them, but surpassing in obstinacy the very Jews themselves, they will not leave off their work, but are as hard at it, even at this day, as ever: What shall we do with these men that will never be quiet? *Æger intemperans crudelem facit medicum; et immedicabile vulnus ense recidendum.*

There is another rock, and it is also a dangerous one, it is a rock upon which many have split themselves in our view, and it hath lying right over against it a quicksand no less dangerous, which hath swallowed up many in our sight. The rock is, a spirit of imposing upon men's consciences, where God leaves them a latitude, and would have them free; the quicksand is, an abominable licentiousness to profess and practise any sort of detestable opinions and principles. For the former, the prelates and all their adherents, nay, and their master and supporter too, with all his posterity, have split themselves upon it. The bloody rebels in Ireland, that would endure no religion but their own amongst them, have split themselves upon it, and we doubt not but that the prince of those satanical spirits, under whose banner, being castout from hence, they are now retired as unto their Beelzebub, will in God's good time split himself also upon this rock, and be brought down to the ground, together with his bloody inquisition, which therefore hath acquired the surname of *the Spanish inquisition*.

But as God is no respecter of persons, so neither is he any respecter of forms, but in what form soever this spirit appeareth, he hath, he will testify his displeasure against it, though it be not of so deep a dye as that I have spoken of before. If men, though otherwise good men, will turn ceremony into substance, and make the kingdom of Christ to consist in circumstances, in disciplines, in

forms, (though these things also may have their use, as to order and decency, so they be strained no further, and not carried beyond their line and measure,) but, I say, if uniformity in these things shall dissolve unity among brethren, and especially if it grow to such a height of animosity, and so high a degree of asperity, that if one say but *Siboleth* instead of *Shiboleth* it shall be accounted ground enough to cut his throat, though one of his brethren. If any men shall account all as heathens, and no Christians, that are not under such or such an ordinance, all men devils that are out of such a circle, such a form, and all men the seed of the serpent, that will not father such and such an opinion, (it may be but fancies, too, when all is done,) such principles, such practices, men cannot bear, God will not endure; and in vain do they protest against the persecution of God's people, when as, eagerly persecuting all others, they make the definition of God's people so narrow, that their persecution becometh as broad as any others'; and usually more fierce, because ordinarily edged with a sharper temper of spirit. It may be, that many amongst these shall, by God's mercy, meet together in heaven, but certainly, had they power at will, they would not suffer one another to live upon the earth. Therefore blessed be God, who, in mercy to us and them, hath placed the power in such hands as make it their business to keep peace amongst them, and to hinder them from biting and devouring one another. Nay, he is pleased sweetly to influence some amongst themselves, of more moderate spirits, to balance the rest, and to keep them in peace at present, and not without hopes, by God's blessing upon their persuasions and examples, to bring them at length to a nearer conjunction of hearts and of minds. And if those that are more earnest amongst them would be but a little jealous over their own spirits, would but observe the rebukes of God upon all that have been transported unto those extremes, and trace the footsteps of his indignation against them, (whereof he hath left several prints in all the three nations,) it might be a good help to reduce them to that golden mean which certainly is the right way, which undoubtedly is God's way. God was not in the *whirlwind*, nor in the *earthquake*, nor in the *fire*, when he came to Elias on the mount of God, but he was in *the still and small voice*. There must be a voice, but it must be a *small and still voice*, enough to hold forth a certain and distinct sound, but not to make so great a noise as to drown all other voices besides. It is good, it is useful to hold forth a certain confession of the truth, but not so as thereby to exclude all those that cannot come up to it in all points, from the privileges which belong to them as Christians, much less which belong to them as men.

For that other extreme, that gulf and quicksand whereupon so many wretched souls have made shipwreck of faith and a good conscience, abandoning themselves to all looseness of opinions, principles, and practices, denying and blaspheming the Lord that bought us, and the Holy Spirit that sanctified us, making a mock of scriptures, of heaven and hell, and of all the fundamentals of our most holy faith, I need not speak more to it; there is *testimonium rei* in the case; the things themselves speak loud enough to all sober consciences that they are intolerable.

Between these two, that rock and this quicksand, the parliament, in their *humble petition and advice*, have most wisely and most Christianly steered their course; wherein if they shall constantly persevere, all good men in city, in country, in army, and every where, nay, God himself, will stand by them and own them in it; and not only in matters of religion, but also in our civil concerns and liber- 670
ties, we have a very fair way traced out unto us by the parliament to settle and secure them both, and make the three nations happy thereby, if some therein would but rectify their opinions, and bring them to things as God would have them, and not strive to bring things, with so much hazard and difficulty, to their opinions; like one that, being scorched by standing too near the fire, rather than stir an inch from the place where he hath set down his foot, casts about for masons and workmen to pull the house down, that so he may set the chimney further off from him. Give me leave to speak one word more in this familiar way of expression, in the dialect and to the sense and experience of every plain countryman.

The late wars and confusions had so trod and trampled down the quickwood, whereby the hedge was made to fence in our laws and liberties, that there is a necessity of setting it over again.

Now some will admit of no other way, but to set the very same old planks in the very selfsame old bank; others run so far to the extreme on the other side, that they will have none of the old sets, none of the old bank, no bank at all, but will have their fence set upon a level, and upon the plain ground.

A third sort like a middle way, as on the one side not to meddle with the old, dry, and dead bank, (for that upon often essays and treaties it hath been found the sets will not take in it,) so on the other side, not to set them upon the plain ground, lest the beasts and the herds and flocks should tread them down at every turn as they pass to and fro, according as their food or fancy leads them; but to place the sets in two tables upon a bank raised up as before, but of a fresh and live mould, and to make use of all plants, both old and new, that will take to the fresh ground and thrive in it. The countryman finds this no ill husbandry in his way, and we may find the like no ill

policy in our way; and truly, if it please the Lord to water our new-set plants with the dews of heaven, and that (by our own discord among ourselves, falling one from another, and from the bank we stand upon) we do not open gaps for them who would make a breach in our mould, we have great opportunities and advantages, by what the parliament hath already done, to settle a firm and lasting fence about our liberties both civil and spiritual, and such a one as no beasts of the field, neither great nor small, no persons whatsoever, neither high nor low, shall be able to pass through it, or get over it, or tread it down.

But then we must beware and take heed of the subtle devices of such who, designing to destroy it, judge (and not without reason) they have no such time to compass their purpose as to disturb and distract our settlement in the infancy thereof, before the two rows of sets have taken deep root in the bank, and before they be grown up together, and are interweaved and plashed one into the other; for then, they fear, it will be too late to do it: the fence will be grown strong, like a triple cord which cannot easily be broken, unless they can untwist it and unravel it again; which after some time and continuance, and the mutual intercourses of love and experience of each other's usefulness to one another and to the commonwealth, it will not be easy for them to do.

Therefore we must have an eye, not only to the wild boars of the forest, that they root not up our fence, but also to the foxes, those little foxes which spoil the vines, for our vine hath tender grapes. Let the chief magistrate and the two houses of parliament esteem each other as bone of their bone and flesh of their flesh; let them be of one heart, and like the form and figure of an heart, which though triangular is but one heart. Let there be one mind, one soul, and one spirit, that may act and animate the whole and every part, and be whole in the whole and whole in every part. Let one and the same good blood run in and through them all, and by a perpetual circulation preserve the whole and every part in perfect unity, strength, and vigour.

This constitution of a chief magistrate and two houses of parliament is not pageantry, but a real and well measured advantage to itself and to the commonwealth; and so consonant to reason, that it is the very emblem and idea of reason itself, which reasoneth and discourseth by a medium between two extremes. If there be two extremes, and the one vary from the other, how shall they be reconciled if there be no medium to bring them together? Where one cannot prevail with one, two may with a third. Where one foot slippeth, indeed, the other may help the body from falling, but if both be tripped up, and it fall, what

shall retain it, if there be not a third to put forth the hand to help it up again? If one be assaulted, will not the other be concerned in it, and run to its defence? but if both be attempted and exposed to violence, will they not stand in need of a protector? If some hazard must be run in popular elections to preserve the people's freedoms, may there not be some help therein by the election of the chief magistrate, that it turn not at any time to its own prejudice? If any thing inconvenient should chance to slip out at one door, must it not pass two more before it come abroad to the detriment of the people? How exact and of how great respect and authority will be all your acts, laws, and resolutions, when as after they have passed the examination of that great body, which sees with the eye of the three nations, and is acquainted with the condition and sensible of the necessities of every individual part thereof, they shall then pass a second scrutiny, and be polished and refined by such as during life shall make it their business either to fit themselves for or to be exercised in things of that nature; being also assisted by all the reverend judges of the land, and other learned persons of that robe, so oft as there shall be occasion to require their advice; and when as after all this they must pass also the judgment and assent of the chief magistrate, who is placed on high as upon a watchtower, from whence he may behold at one view, and discover the state of the whole body politic and every part thereof, and see, not only near at hand, but also afar off, how it standeth in relation to foreign states, as well as to its own parts within itself.

I might enlarge much more upon this subject; and it is not to be forgotten, that each house, taking a more special care of what is most proper for it, and it most proper for, whilst the representative of the commons provideth and strengtheneth the sinews of war, to preserve 671
the commonwealth from destruction in gross by public force and violence; the other house will preserve it from destruction by retail, through the due administration of justice, suppressing particular wrongs and oppressions, which would soon break out into open flames and public rapines, if they were not prevented by the courts of judicature, whereof the highest and last resort is there. But I shall leave what is omitted in this point to time and experience, which I am confident will speak more fully and effectually, and more convincingly, than the tongue of any man can set forth.

And so I pass on to the last point, and shall briefly touch upon some difficulties and impediments which we may meet with in our way. And the first that some may be in danger to stumble at is, the apprehension of novelty in this constitution, because it is not in every point agreeable to what was before. For removal hereof, let us

consider, that neither is the condition of the nation at present as it was before; and it may be, it is not good it should be so, or at least, that it is not God's will it shall be so; it is rather little less than a miracle, that after so great shakings and confusions it should so soon come to that state that it is already in. And if we well and wisely consider how great variety of humours and judgments, and what different interests and powers these wars have raised amongst us, and how differently placed and lodged from that which was before, it is no wonder if every one cannot have what he thinks best in his judgment to be done, but ought rather to content himself with what he may think next best to that which is first in his judgment, which probably may be best of all in itself; for that every one is a partial judge as to that thing which hath taken the first impression in his mind, and so passed into a prejudicate opinion. But above all, we must have the peace and settlement of the nations, *quacunque data via*, as a pole-star before our eyes, steering our course thereby, without giving ear to the enchanting songs of any sirens, and without giving way to any suggestions of indignation which proud flesh may assult our minds withal; but with generous resolutions press on to settlement, conquering our temptations, and subduing our own spirits, if in any thing at any time they shall rise against this work, whereby we shall gain more true honour before men and before God, than if we had subdued a city, than if we had conquered a nation; and indeed we shall do no less thereby than preserve three nations.

Another difficulty ariseth unto us from the dissatisfaction of some of our ancient friends, who have been and might still be useful to us in the work which we have now in hand, which if it be not a greater difficulty unto us than that of our secret and open enemies, (of whom I shall speak anon,) it is a greater trouble and grief to us, because that we love them so much, and fear the other so little; not that they are not a formidable enemy, but now, by the conjunction of our late inbred enemy with that old enemy of our nation and religion, and of God himself, who is our hope and chiefest help, we shall have God a greater and a closer friend unto us, because we have to do with his greatest enemies. But for those of our friends who content themselves with their privacy and country retirement in these great difficulties of the commonwealth: *for the divisions of Reuben there are great thoughts of heart. Why abidest thou among the sheepfolds to hear the bleating of the flocks? surely for the divisions of Reuben there are great searchings of heart.* How shall we bind up the wounds we receive in the house of our friend? *What shall we do for our sister that hath no breasts; that will afford no milk? If she be a wall, we will build a palace of silver upon her; and if she*

be a door, we will inclose her with boards of cedar. If they will give to us any foundation to work upon, we will build upon it, we will improve it, we will multiply obligations upon them, we will heap coals of fire upon their heads: if they will not let us follow them, let them follow us; we will either lead or follow in the work of God.

And if our words cannot convince them, we will endeavour that our works may do it; and what we cannot do ourselves, we will pray to God to do for us, and to find out ways which we cannot, to reunite our hearts and hands who have been engaged together in the same cause, and are still embarked in the same bottom, and must sink and swim, must run the same hazard and fortune together; I mean the same issue and event of God's providence towards us, whether it be for good or whether it be for evil. As to our enemies, both secret and open, they are continually plotting and contriving to create us all the trouble that they can, and want not means for to effect it, our homebred enemies being now in conjunction with that our great foreign enemy, who vaunt themselves of their king, that he possesseth more riches, more crowns, and more dominions than ever any Christian prince did, and that his empire is ten times greater than that of the great Turk, and larger than ever was that of the Romans; and that he might more justly than the Persian king style himself *king of kings, brother of the sun and moon,* and *that the sun never sets upon his dominions,* and the like. And yet to all these riches, to all this power, to all these titles, we are not afraid to oppose the one single name of *the Lord our God;* and if it do not diminish our difficulty, yet it doth not a little ease our minds, that all our enemies are reduced unto that head which professeth himself to be the head of that antichristian faction which opposeth all the Christian churches in the world, and would keep them and bring them under the iron yoke of his bloody inquisition; and every blow that we shall level at that head, in way of defence or offence, will in some proportion redound to the advantage of all good Christians throughout the world.

And now it would be very strange if all good men should not see and be convinced what thread it was that run all along through our quarrel in the late wars; and though at first it was more finely spun and more closely wrought, that it could not so easily be discerned, yet now that it is unravelled to its bottom, it more clearly discovers its rise by its resort, and if the interest of that party shall be again enthroned amongst us and brought in upon the wings of that double-headed black eagle, (or rather vulture,) what will become of the poor lambs of Christ? what can we expect but (according to the agreement between them) a toleration of popery in England and

1672 Scotland, and a profession and protection of it in Ireland, with an inundation of looseness and profaneness on the one side, and of tyranny and oppression on the other?

We ought then to believe, and we have good ground to rest our faith upon. But *cum Deo movenda est manus*, we ought so to believe, as though we had made no provision at all; and yet we ought so to make provision, in subserviency to God's providence, as if we did not believe at all. And his highness doth acknowledge the great care and provision of the parliament for the carrying on of this war, in pursuance of their most Christian and truly English spirit and resolution, in owning that quarrel against that old enemy of their religion and of their nation. Yet I must acquaint you that the supplies granted have fallen short of the commonwealth's necessities, because indeed they have fallen short of the parliament's own expectations, according to the lowest estimate that they were reckoned at: especially that of the new buildings, wherein what have been the particular obstructions, and what may be the proper remedies; as also the full and perfect state of your revenue, you will particularly understand from the lords commissioners of the treasury, and such other persons as his highness will appoint to inform you therein, which cannot be expected at this time from me, who have already held you too long, and spent too much of your time, and tired out your patience, which you will have occasion enough to make use of to better purposes. This only I shall add before I conclude, that though I shall not, I must not, I dare not flatter man in the presence of God, (and his presence is more than ordinary in such assemblies as this,) yet you all know, and the three nations know, and all the nations round about us know, that the quiet, peace, and welfare of these nations doth at present in great measure, under God, depend upon his highness's life: and therefore, with hearts and hands lifted up to heaven, let us pray for the continuance of it, and of the influences of God's gracious Spirit upon his mind and heart, for the weal and good government of these nations.

And, sir, whatever you are or shall be, whatever you have done or shall do, and whatever abilities you are or shall be endowed with, are not from nor for yourself, but from and for God, and for the good of men, and especially of God's people amongst men. To which ends, that you may lay forth yourself and them, and improve all the opportunities, and employ all the power which God hath put into your hands, is the hope, is the prayer of all good men. And in so doing you shall have comfort, you shall have honour, and we shall have safety, and we shall have happiness; that happiness to see truth and peace, justice and mercy kiss each other, and Christ set

upon his throne in these lands; not in that literal and carnal way which hath so much intoxicated the brains and minds of many in these our days, but in spirit and in truth, and more conformable to that which Christ himself hath pronounced, that *his kingdom is not of this world.* And yet must all the kingdoms of the world be subservient to that world which is to come, to that kingdom which is above. Whereupon having our eyes fixed, let us bend our course that way, with our faces thitherward, discharging every one his duty in his place diligently and faithfully, and finishing the work which God hath appointed us to do in this life, that in the life to come we may hear that sweet and blessed voice directed unto us, *Come, good and faithful servants, enter into your Master's joy.*

21. The house of lords appointed a committee for privileges and a committee for petitions, and sent to the house of commons for a day of humiliation to be appointed. The messengers were two of the judges, who all sat assistants as formerly in the house of lords. Committee.

25. Upon a letter from the protector to the speaker of the house of commons, they met his highness in the banqueting-house, and he exhorted them to unity, and to the observance of their own rules in *the petition and advice;* and gave them a state of the public accounts and good counsel. Protector.

27. Both houses kept a day of humiliation within their own walls.

28. The house of lords sent a message to the house of commons, three days past, by judge Windham and Baron Hill: the house of commons put off the answer to that message, sir Arthur Haselrigge and some others not allowing the house of lords, and fomenting, by their dissatisfied spirits, a difference betwixt the two houses. This day they again put off their answer to the message, which caused distaste in the other house and protector, and was contrary to what themselves had at their last meeting assented unto. Divisions.

30. The house of lords taking into consideration the state of affairs relating to foreign princes and states, and particularly to Sweden, I gave them a full account of my negotiation in Sweden, and of the interest of this nation in relation to Sweden; with which account the house seemed greatly satisfied.

The house of commons again put off their answer to the lords.

February 1657.

2. The debate of the answer of the house of commons to the message of the lords' house was again adjourned.

3. The house of lords sent another message by two judges to the house of commons, who told them they would send an answer by messengers of their own: and then the house of commons (as formerly) took in debate what appellation they should give to the other house: many were against the calling of them *the house of lords;* some were against the having of such another house, perhaps because they were not thought fit to be members of it; and others were against it upon other fancies, and upon a spirit of contradiction; and some spake reproachfully in the house of commons of the other house.

Other house.

Fifth-monarchy-men.

All these passages tended to their own destruction, which was not difficult to foresee. The protector looked upon himself as aimed at by them, though with a side wind, and testimonies of their envy towards him; and he was the more incensed, because at this time the fifth-monarchy men began again their enterprises to overthrow him and his government by force; whereof there were clear discoveries: he therefore took a resolution suddenly to dissolve this parliament.

Parliament dissolution.

I dissuaded him from it, and told him the danger of frequent dissolving of parliaments, the straits it would bring him into
673 for money, which he could not raise without the highest discontent, except it were given by them; that a little time would cool these heats, and bring the parliament into a better temper: but some fierce men, and flatterers, to comply with him, advised the dissolving of them.

4. The protector came to the house of lords in the morning, and caused the usher of the black rod to go to the house of commons and acquaint them that his highness was in the lords' house, and there expected them. Thereupon the speaker and the whole house came to the lords' house, where his highness made a speech to them, declaring several urgent and weighty reasons making it necessary for him, in order to the public peace and safety, to proceed to an immediate dissolution of this parliament. And accordingly his highness dissolved the parliament.

Some were troubled at this; others rejoiced at the troubles, and were suspected to be assisters of the new designs of insurrection.

Plot.

Divers were imprisoned upon the new plot, and the protector and his council were busy in the examinations concerning it; and Thurloe did them good service: major-general Harrison was deep in it.

Harrison.

12. Divers seditious books taken of the conspirators.

News of the king of Sweden's success in Liefland against the Poles, and that by the frost he marched his troops of horse over the ice, cross an arm of the sea, and got by that means into the isle of Fuenen, which he gained; that he lost only one troop, which was sunk by the breaking of the ice whilst the troop were marching upon it. Sweden.

16. The contract was confirmed by the council touching tonnage and poundage, and the excise, wherein the commissioners of the treasury took pains.

19. I was much retired, and not satisfied with the public transactions.

March 1657.

1. Applications from a Scotch lord to the protector to restore this lord to a place in Scotland from which he had been unjustly removed.

16. The funeral of alderman Wright.

17. The cavalier party were again at work upon a new design, whereof the protector had intelligence from abroad, and from some of the actors here; about this he advised with me, and sent for the lord mayor and aldermen of London, and acquainted them with it, and desired their care to put the city into a posture of defence. Plots.

18. A petition and representation was delivered to his highness from the city of London of their faithfulness and duty to him.

19. Divers the like addresses were made from general Monk's and other regiments, and his highness answered them with thanks. Addresses.

20. News of the peace concluded between the kings of Sweden and Denmark.

24. The protector ordered 200*l.* to be paid out of the treasury to Manasseh Ben Israel, the Jewish rabbi.

April 1658.

11. I furthered a collection for the persecuted protestants in Poland and in Bohemia. Protestants.

12. The protector by letters patents made four baronets.

17. The protector advised with me about setting up a high court of justice for trial of the conspirators now in prison, but I advised rather to have them proceeded against in the ordinary course of trials at the common law; but his high- High court of justice.

ness was too much in love with the new way, and thought it to be the more effectual, and would the more terrify the offenders.

Addresses. 19. Several addresses were made to the protector from regiments of the army, and from the forces in Mardike, with professions to adhere to him. The protector in his answer to some of them did impart to them the present designs of the enemy, that commissions were sent over hither from the king of Scots, and that he had four thousand men in Flanders ready to be embarked into England to join with his party here, and ships ready to transport them; and therefore it behoved all honest men to provide for a defence, and to join heartily together.

22. Thus the protector's party were full of unquietness and alarms, and yet it pleased God to keep up their spirits from being daunted.

24. I, and the rest of the commissioners of the treasury, the recorder of London, and the masters of the requests, or any two of them appointed by the council, a committee to hear appeals from Guernsey and Jersey, and to report their opinions therein to the council.

High court of justice. 27. The commissioners of the seal and of the treasury, the judges, and many others, were nominated commissioners under the great seal for the trial of the present conspirators against the protector and governor; but I never sat with them, it being against my judgment.

May 1658.

1. Sergeant Maynard was by patent made his highness's sergeant-at-law.

13. Sir Roger Mostyn was secured, and a prisoner to colonel Carter at Conway.

15. I procured sir Roger Mostyn's liberty upon his parole, to be at his own house at Mostyn, engaging to do nothing prejudicial to the present government.

17. Sir John Borlace and several others were secured at this time.

20. News of the progress of the English and French forces before Dunkirk.

21. Thirty apprentices prisoners in the Tower upon the new plot were examined: I advised that lenity should be used towards them.

25. The trial of Dr. Hewet before the new commissioners of the high court of justice this day: the doctor did not carry himself prudently. Dr. Hewet.

June 1658.

3. I gave a pensioner's place in Sutton's hospital to Mr. Quatermaine.

4. Applications to me about pensions out of the treasury.

5. Mr. Mordaunt, one of the great actors in the new conspiracy, had favour from the commissioners by my means.

6. News of the total defeat given to the Spanish army which came to relieve Dunkirk, and of the gallant service performed by the English, wherein the lord ambassador Lockart gained much honour; twelve hundred Spaniards were slain and two thousand taken prisoners; the English and French did gallantly. Dunkirk.

8. Sir Henry Slingsby and Dr. Hewet were beheaded at Tower-hill.

9. Sir Humphry Bennet being to be tried for the new conspiracy, applications were made by his friends to the commissioners of the high court of justice for favour to him, and his life was saved; but the kindness of his friends not remembered. 674

15. Audience to the duke of Crequi and monsieur Mancini, sent from the king of France and from the cardinal Mazarine to the protector, to congratulate the success of the king's and the protector's joint forces, and to compliment his highness, who answered their compliments, and expressed like affection to the alliance with his majesty of France. Duke of Crequi.

21. Intelligence of the surrender of Dunkirk, and that the king of France, the cardinal, and general Lockart entered the town with their forces, and Lockart was put into the possession and command of it. Dunkirk taken.

23. I having been formerly employed by the protector, together with Mr. Bond, and no others, about a proposal for betraying this town by the then Spanish governor of it unto the protector for money, which the protector then refused as a dishonourable action; some overtures were made to me to be governor of that place upon Lockart's employment in other services; but I was not satisfied to undertake it, though it was a command very honourable and profitable: nor was I ambitious of that preferment, or endeavouring to obtain it.

24. News of the taking of Bergen by the English and French.

26. Sir Thomas Widdrington was made lord chief baron of the exchequer.

30. According to my former advice to the protector, wherein Thurloe agreed, divers others of the new conspirators were referred to be tried at the upper bench bar, after the course of the common law.

July 1658.

2. Several of the new conspirators tried and found guilty.

6. Several of them were executed in London and at Tyburn.

8. Mr. Hugh Peters related the passages of Mardike and Dunkirk, where he preached to the soldiers.

14. Upon a report from the commissioners of the treasury, the protector and council made several orders for bringing in money in arrear to the state.

Records. 17. Mr. Ryley, the herald, and clerk of the records in the Tower, promised great service about the calendering of the records.

18. The protector was at Hampton-court, and his council there with him.

21. The protector kept a day of thansksgiving for the successes in Flanders.

24. News of the siege of Graveling by the English and French forces.

August 1658.

6. A general meeting of the adventurers for Ireland.

Lady Claypole. 7. News of the death of the lady Elizabeth Claypole yesterday at Hampton-court: she was a lady of excellent parts, dear to her parents, and civil to all persons, and courteous and friendly to all gentlemen of her acquaintance; her death did much grieve her father.

12. The protector was ill at Hampton-court.

Baronets. 13. The attorney Prideaux and the solicitor-general were made baronets.

16. Mr. Robinson had a project to raise money for the public.

Projects. 17. Sir John Winter had a project for charking of sea-coal, whereby it became as sweet fuel as wood or charcoal; and he sent some of it with a new fashioned grate to several great men for a trial; but it came to nothing.

21. A bill signed by his highness for a patent to make me a viscount, and in secretary Thurloe's hand to be passed; but I did not think it convenient for me.

22. Graveling was delivered up to the French upon articles.

24. The duke of Buckingham was apprehended, and committed to the Tower. D. Bucks.

26. The protector being sick at Hampton-court, as some thought of an ague,

I went thither to visit him, and was kindly entertained by his highness at dinner: he discoursed privately with me about his great businesses.

28. The earl of Mulgrave, one of his highness's council, died in the way as he was coming up to London. Earl Mulgrave dies.

September 1658.

3. This day, about two o'clock in the afternoon, the protector died at Hampton-court: the same day that he had before obtained the victories at Dunbar and at Worcester he now went to rest in the grave: after his many great actions and troubles, he now died quietly in his bed: some were of opinion that he was poisoned. Protector dies.

Immediately upon his death the council assembled, and being satisfied that the protector in his lifetime, according to *the petition and advice*, had declared his son Richard to be his successor, the council caused the same to be proclaimed in a solemn manner in London and Westminster; and they went the same day to Richard to acquaint him with it, and sent a committee of the council into the city to inform them hereof. Richard proclaimed.

The proclamation of Richard to be lord protector was made in London in the following words:

Whereas it hath pleased the most wise God in his providence to take out of this world the most serene and renowned Oliver, late lord protector of this commonwealth; and his highness having in his lifetime, according to *the humble petition and advice*, declared and appointed the most noble and illustrious the lord Richard, eldest son of his said late highness, to succeed him in the government of these nations; we therefore, of the privy-council, together with the lord mayor, aldermen, and citizens of London, the officers of the army, and numbers of other principal gentlemen, do now hereby with one full voice and consent of tongue and heart publish and declare the said noble and illustrious lord Richard to be rightful pro-

tector of this commonwealth of England, Scotland, and Ireland, and the dominions and territories thereunto belonging: to whom we do acknowledge all fidelity and constant obedience according to law and the said *humble petition and advice;* with all hearty and humble affections beseeching the Lord, by whom princes rule, to bless him with long life, and these nations with peace and happiness under his government.

675 Richard Chiverton, mayor, Henry Lawrence, president, Nathaniel Fiennes, C. S., John Lisle, C. S., C. Fleetwood, P. Lisle, John Desborough, E. Mountague, Gilb. Pickering, C. Wolseley, Philip Skippon, William Sydenham, Wal. Strickland, Phil. Jones, Jo. Thurloe, Fauconberg, Edw. Whaley, W. Goff, Tho. Cooper, Oliver Flemming, John Clerk, Tho. Pride, Edm. Prideaux, Tobias Bridge, Edw. Salmon, Jo. Biscoe, Waldine Lagoe, John Mill, E. Grosvenor, &c.

God save his highness, Richard, lord protector.

The council gave the oath to Richard, and with his consent another proclamation was published for all that were officers in his father's time to continue in their places.

8. The master of the ceremonies, by order of the council, acquainted all foreign ministers with the death of the late protector, and the succession of his son Richard.

9. Letters of the proclaiming of Richard to be protector in several of the chief cities and towns in England.

10. Of the proclaiming of Richard lord protector at Dunkirk.

Richard and his council kept a day of humiliation, and ordered the keeping of it at another time in London.

11. News of the king of Sweden's besieging of Copenhagen.

17. Men's minds were troubled at this change, and feared the consequences of it.

20. News of the surrender of the castle of Cronenberg by the Danes to the king of Sweden.

Addresses. 25. Several addresses came to the new protector, declaring satisfaction in his succession, and resolution to adhere to him.

28. News of good service performed in Liefland by general Douglas, and of the king of Sweden's successes in Denmark.

October 1658.

2. An address from the sea-officers, acknowledging Richard, and protesting to stand by him, and from general Monk and his officers in Scotland.

4. News of the taking of Ypres by the English and French in Flanders.

5. Addresses to Richard from Portsmouth.

6. An address from the French, Dutch, and Italian churches London.

7. The gentlemen and freeholders of Buckinghamshire, having framed an address to Richard, wherein most of the principal gentlemen were engaged, when they had got it signed, they pitched upon me to present it, whom a great number of them accompanied to Richard with the address, and were quickly admitted to his presence: I, with a short speech, presented it to him, and Richard made a very good prudent answer, and thanked the gentlemen for their affections. Richard.

10. Letters from Bergen-op-Zome, of the news of those parts, and of their great fleet, and assisting the king of Denmark against the king of Sweden.

I was advised with about the ceremonies of the protector's funeral.

11. Mr. Fell died: he was a good lawyer and a good man: he served the parliament as a soldier, and they made him commissioner of the seal for Lancaster, and second justice of Chester.

15. Several addresses to Richard from the congregational churches, and from divers cities and counties.

18. Audience given by Richard to the French ambassador, when Richard did carry himself discreetly, and better than was expected. French ambassador.

19. An envoy from the king of Sweden to Richard, to congratulate his succession, had audience, and from him news of the continuance of the siege of Copenhagen.

22. By advice of the commissioners of the treasury, order was taken for the bringing in of money for the soldiers.

24. Several other addresses were made to Richard.

27. A general address to Richard from Berkshire.

28. Addresses from the sea-officers and mariners.

November 1658.

3. An address to Richard from Oxfordshire.

8. News of the fight at sea betwixt the Swedes and the Dutch, who came to relieve Copenhagen; admiral Wrangell Sea-fight.

behaved himself very gallantly, and the Swedes had much the better in the fight: but whilst the Swedish ships were engaged, the merchantmen got by, and brought the desired relief to Copenhagen.

13. Gustavus du Val, envoy from the king of Sweden, had audience, and took his leave of Richard.

16. Addresses to Richard from the officers of the army, presented by Desborough.

18. I constantly attended the business of the treasury, and the lord chief baron with me; but the commissioners, general Mountague and colonel Sydenham, were often absent, by reason of their attendance upon the council.

20. The officers of the army attended Richard, and made large professions to him of their obedience and faithfulness; and he courted them at a high rate.

Oliver's funeral.

23. The funeral of the old protector was celebrated with great solemnity; the officers of state, the council, the lord mayor and aldermen of London, the house of lords, the officers of the army, the servants of the protector, the judges and officers of law, the citizens of London, the soldiers in their troops and companies, the ordinary guards, and an infinite number of spectators within the rails of the streets and in the windows. At this solemnity were also present the foreign ministers and ambassadors.

25. More addresses were presented to Richard from several counties.

26. Richard knighted general Morgan, a very gallant person.

27. Sergeant Windham and sergeant Nicholas were made judges, and Mr. Archer was made a sergeant.

29. Several audiences were given by Richard to foreign ministers sent to him from neighbouring princes and states, to condole the death of his father, and to congratulate his succession to the government.

676 *December* 1658.

4. Richard, by advice of his council, resolved to call a parliament to meet on the 27th day of January next.

6. Richard knighted captain Beke.

9. More addresses were made to Richard.

19. New addresses to Richard.

30. My son James was chosen a burgess for the town of Aylesbury.

January 1658.

4. My son William and captain Thornhill were chosen burgesses in parliament for the town of Reading.

6. My son William was chosen one of the burgesses of Westlow in Cornwall for this parliament.

21. Letters from the mayor and aldermen of Oxford, for assistance to suppress some unruly persons in the city. Oxford.

27. The parliament met.

30. I met about the business of the great seal, whereof I was now again made a commissioner. Richard had a particular respect for me, and upon the 22d day of this month, by advice of some near to him, without any seeking for it by me, I was sent for to Whitehall, where I met the two lords commissioners of the seal, Fiennes and Lisle, and they together being called in to the council-chamber, the great seal was delivered to his highness sitting in council, and his highness presently delivered it to Fiennes, Lisle, and me, as keepers of the great seal of England. Great seal.

This passage was wondered at by many, and some thought that Fiennes desired it, finding Lisle not so capable of executing that place as was expected, and his want of experience in that business, and multitude of other occasions, and his attendance on Richard and the council, made him willing to have my help in the business of the seal.

31. Mr. chancellor Chute was chosen speaker of this parliament, an excellent orator, a man of great parts and generosity, whom many doubted that he would not join with the protector's party, but he did heartily. Parliament. Speaker.

The members of the house of lords took their places, being summoned by the like writ as they had before, according to the petition and advice.

February 1658.

3. Order for the commissioners of the treasury to give an account to the house of the state of the public treasure.

4. A fast-day kept in both houses.

8. The house of commons debated the bill of recognition of his highness to be lord protector; and some were very cross in that business, which caused doubts of the good issue of this parliament. Recognition.

9. The members returned for Scotland and Ireland to serve in this parliament appeared very full.

10. The house voted several members uncapable to sit, because they had been in arms against the parliament.

11. Mr. Fussel, an attorney, was shot into the head with a brace of bullets from the other side of the street, as he sat in his chamber, and died presently; who did it was not known.

14. Letters from the earl of Stamford to me, complaining of his being put out of commission of the peace, and the like done to other persons of quality, and of mean men being put into commission, who insult over their betters; and desiring me, now being restored to the custody of the seal, (for which all good men rejoiced,) to consider of and amend such things.

16. The house were busy in debate upon the act of recognition. Mr. Sherwyn, who was a member of the house, was ordered to bring in the state of the account of the public treasure, delivered to him by the commissioners of the treasury.

17. Mr. Sherwyn delivered in this account, which was very exact, the commissiouers of the treasury and Mr. Sherwyn having taken great pains about it.

19. Vote of the house of commons to take into consideration the constitution of the parliament in two houses.

Divisions. This caused much discourse, and doubts of many lest a disagreement should follow; and some of the court and relations of Richard were not backward to promote a difference.

Other house. 22. The bounds and limits of the other house were debated, and the debate adjourned.

25. I had a fair quarter with Fiennes and Lisle in the business of the seal; but the greatest burden of the place lay upon me.

26. Several addresses were made to Richard from several towns and places during the sitting of the parliament.

March 1658.

1. The commons voted the question, to transact with the persons now sitting in the other house as an house of parliament, should be debated.

4. Debate touching the other house.

8. The commons voted that their debate about transacting with the other house should be no bar to such peers as have faithfully served the parliament.

Speaker. 9. The speaker, Mr. Chute, being ill, sir Lillisbone Long was chosen to supply his place in his absence.

10. Several addresses to Richard from regiments of the army.

16. Sir Lillisbone Long, the speaker *pro tempore*, not being well, Mr. Bamfield was chosen speaker *pro tempore*.

Sir Lillisbone Long died, a very sober discreet gentleman, and a good lawyer.

19. Some members of the house, by order, went from the house to visit their speaker Mr. Chute, which was a great honour to him; and he had so much gained the affection of the house, that he swayed much with them.

23. Letters of the peace betwixt the kings of Sweden and Denmark.

26. Letters that in the country the news was, that the parliament should be dissolved, and that troops of horse were met marching to London.

Vote of the commons to restore major-general Browne to his places in London.

28. The commons voted to transact with the persons sitting in the other house as an house of parliament, saving the right of the peers who had been faithful to the parliament: this gave hopes to some of an agreement, against which many laboured.

29. A bill for taking away the excise, and tonnage and poundage, after the protector's death, which stumbled his friends. 677

30. The commons voted a day of humiliation to be kept in the three nations.

April 1659.

April 5. The title of the declaration for the fast was voted to be of the protector and both houses of parliament. Title.

Haslerigge and Henry Nevil, and their flock, were a great cause of disturbance in this parliament.

The commons voted, that in all messages to and conferences with the other house equal ceremonies should be used, and no other respect observed by the members of this house than what is observed by the members sitting in the other house. Other house.

6. The Dutch assisted the king of Denmark, and the English assisted the king of Sweden.

14. On the sixth of this month, a representation was signed by all the officers of the army, and afterwards presented to Army.

his highness, setting forth their want of pay, the insolences of the enemies, and their designs, together with some in power, to ruin the army and the good old cause, and to bring in the enemies thereof; to prevent which, and to provide against free quarter, they desire his highness to advise with the parliament, and to provide effectual remedy. Now there being yet nothing done hereupon, the soldiers began to speak high and threatening.

Richard. This was the beginning of Richard's fall, and set on foot by his relations; Desborough who married his aunt, and Fleetwood who married his sister, and others of their party; and the parliament disputed about the other house, but took no course to provide money, but exasperated the army, and all those named of the other house.

The commons sent up the declaration for a public fast to the other house; who answered, that they would take it into further consideration; and the lord commissioner Fiennes and the rest went to the bar to receive the message.

Chute dies. The speaker, Mr. Chute, died, an eminent man in his profession: Mr. Bamfield was chosen speaker.

Quakers. The quakers delivered a paper to the speaker, seconding the representation of the army, and adding to it; and the house's answer was, that they disliked the scandals therein cast upon the magistracy and ministry, and ordered them to resort to their habitations, and apply themselves to their callings, and submit to the laws and magistracy of the nation.

17. His highness sent for the officers of the army, and had conference with them.

The commons sent up to the other house several votes derogatory to that house and distasteful to the army.

20. A representation from the officers of the trained-bands of London to his highness, of the danger from the public enemy, and seconding the representation of the army.

21. The parliament grew into heats, Haslerigge and Nevil and their party laboured to overthrow the government by a protector and two houses of parliament, and pretended to have a free commonwealth; divers officers of the army joined with them; Desborough, Fleetwood, sir Henry Vane, Berry, and others, endeavoured to lessen Richard's power, and some of them were for altering the government; and

Lambert, who had been discontented, closely wrought for that end.

Richard advised with the lord Broghill, Fiennes, Thurloe, Wolsey, myself, and some others, whether it were not fit to dissolve the present parliament; most of them were for it; I doubted the success of it, and wished a little longer permission of their sitting, especially now they had begun to consider of raising money, whereby they would engage the soldiery; but most were for the dissolving of the parliament, in regard of the present great dangers from them, and from the cavaliers who now flocked to London, and underhand fomented the divisions. Dissolution of parliament.

22. By commission under the great seal to Fiennes and others this parliament was dissolved, and a proclamation issued to declare it dissolved; which caused much trouble in the minds of many honest men: the cavaliers and republicans rejoiced at it.

Richard and his council sat close to consult what was fit to be done, and among them were many enemies to Richard and his government.

23. Many were much troubled at these changes and unsettledness.

24. A proclamation for all papists and cavaliers to depart twenty miles from London.

27. Lambert and other officers of the army consulted how they might again bring in the old members of the parliament, whom themselves had before thrust out. Lambert.

May 1659.

3. Richard was abused and betrayed by his near relations and those of his council; I was wary what to advise in this matter, but declared my judgment honestly, and for the good of Richard, when my advice was required.

4. The soldiers and their party grew so high in their imagined designs, that some could not forbear their scoffs, that the present proceedings would only pull down the father and set up the son, and that the son might wear silk stockings and the father worsted. Army.

5. News of sir George Ayscough's favour with the king of Sweden.

All matters were at a stand; the army had thoughts of raising money without a parliament, but upon advice they Money.

durst not adventure upon it; they thought it a safer way to restore the members of the long parliament.

Long parliament. The great officers of the army were advised to consider better of their design of bringing in the members of the old parliament, who were most of them discontented for their being formerly broken up by Cromwell, and did distaste the proceedings of the army; and whether this would not probably more increase the divisions, and end in bringing in of the king; but the officers had resolved on it.

Fleetwood. 6. Fleetwood and the general council of the officers of the army published a declaration, inviting the members of the long parliament, who continued sitting till April 20th, 1653, to return to the exercise and discharge of their trust.

The declaration was as followeth:

Declaration. The public concernments of this commonwealth being, through a vicissitude of dangers, deliverances, and backslidings of many, brought into that state and posture wherein they now stand, and ourselves also contributing thereunto, by wandering divers ways from righteous and equal paths; and although there have been many essays
678 to obviate the dangers and to settle these nations in peace and prosperity, yet all have proved ineffectual; the only wise God, in the course of his providence, disappointing all endeavours therein.

And also observing, to our great grief, that the good spirit which formerly appeared amongst us, in the carrying on of this great work, did daily decline, so as the good old cause itself became a reproach; we have been led to look back and examine the cause of the Lord's withdrawing his wonted presence from us, and where we turned out of the way, that through mercy we might return and give him the glory.

And, among other things, call to mind, that the long parliament, consisting of the members which continued their sitting until the 20th of April 1653, were eminent asserters of that cause, and had a special presence of God with them, and were signally blessed in that work, (the desires of many good people concurring with ours therein,) we judge it our duty to invite the aforesaid members to return to the exercise and discharge of their trust as before the said twentieth day of April 1653.

And therefore we do hereby most earnestly desire the parliament, consisting of those members who continued to sit since the year 1648 until the twentieth of April 1653, to return to the exercise and discharge of their trust, and we shall be ready in our places to yield them, as becomes us, our utmost assistance to sit in safety,

for the improving present opportunity for settling and securing the peace and freedom of this commonwealth, praying for the presence and blessing of God upon their endeavours.

Signed, by direction of the lord Fleetwood and the council of officers of the army,

May 6, 1659. THO. SANDFORD, secretary.

Lambert, Berry, Cooper, Haslerigge, Lilburn, Ashfield, Salmon, Zanchey, Kelsey, Okey, Blackwell, Haynes, Allen, Packer, and Pierson went to the old speaker Lenthal with this declaration to the rolls, and presented it to him; and divers of the members of the long parliament came thither afterwards to advise with the speaker, and declared their willingness to meet again; which they appointed to morrow morning in the painted chamber. Lenthal.

7. They met accordingly, and in a body went together to the house, Lambert guarding them with soldiers. Then they passed a declaration touching their meeting, and their purpose to secure the property and liberty of the people, both as men and as Christians, and that without a single person, kingship, or house of peers, and to uphold magistracy and ministry. Long parliament. Declaration.

8. A sermon was preached in the house by Dr. Owen.

9. The house appointed a committee of safety, most of them soldiers, except Vane and Scot; and ordered, that all officers should be such as feared God and were faithful to the cause. Committee of safety.

Letters of general Monk to Fleetwood, of the concurrence of the army in Scotland with the army at London. Monk.

Letters ordered to be sent to the particular members of this parliament to come and discharge their duty.

11. An act passed for the continuing of sheriffs, justices of peace, &c. in England, and in Scotland and Ireland.

12. An address to the parliament, with their desires in it, from many in and about London, and their protestation to stand by this parliament. Addresses.

The like address to this parliament from the officers of the army.

These passages gave the more hopes to many, that this parliament, thus restored, might be blessed of God for settling the peace and liberty of the nation; and the more, because they were upon the first right and foundation of

that long parliament which had done so great things: and therefore divers were the better satisfied to go on with them.

Council of state.

13. The parliament named a council of state, and several gentlemen, not members of the house, were also of it: their names were as follow:

Thomas lord Fairfax, major-general Lambert, colonel J. Desborough, colonel James Bury, John Bradshaw sergeant-at-law, sir Anthony Ashley Cooper, sir Horatio Townsend, sir Arthur Haslerigge, sir Henry Vane, lieutenant-general Ludlow, lieutenant-general Fleetwood, major Salwey, colonel Morley, Mr. Scot, Mr. Wallop, sir James Harrington, colonel Wanton, colonel Jo. Jones, colonel Sydenham, colonel Sidney, Mr. Nevil, Mr. Thomas Chaloner, colonel Downes, lord chief justice St. John, colonel Thompson, lord commissioner Whitelocke, colonel Dixwell, Mr. Reynolds, Josiah Barners, sir Archibald Johnson, sir Robert Honewood.

Great seal.

14. An act for a new great seal, different from that whereof Fiennes, Lisle, and I were commissioners; and so our office ceased.

15. Newdigate, Atkins, Archer, and Parker were made judges, and Easter-term was continued.

Acts.

16. An act passed appointing judges for probate of wills. Applications to me from Mr. Nathaniel Bacon and his brother about the payment of their salary, as masters of the requests to the protector, and sergeant Lynne, about his arrears of his salary.

Votes.

Votes passed for pay of the army and navy, and for sale of Whitehall and Somerset house.

17. Address to the parliament from the army in Scotland:

RIGHT HONOURABLE,

That a nation may be born in a day, is a truth which this day's experience witnesseth unto us against all the dictates of human reason; and that a glorious cause, whose interest was laid low, (even in the dust,) should be in one day restored to its life and lustre, when almost all the asserters of it had so manifestly declined it by a defection of many years, cannot be imputed to less than the greatest and most powerful manifestation of the arm of God that ever this or former generations saw or heard of.

In the sense of this (the greatest of our temporal mercies) we now come to address to your honours, as those whose presence we have

so long wanted, that had you stayed but a little longer, it might have been left to be inquired what England was; we mean, what was become of that people by whom God for so many years filled the world with so much admiration and terror. But though this great work be (as most justly it ought to be) wonderful in our eyes, yet when we consider its Author, who calls things that are not as if they were, bringeth down to the pit and raiseth up again, we see that nothing is difficult to faith, and the promises of God are sure and stable, even then when in the eye of man no less than impossible.

We cannot but acknowledge, to our exceeding great sorrow and shame, that ourselves (though we hope, most of us, through weak- 679
ness and frailty, not out of design) have very much contributed to those provocations which have caused God to depart from our Israel; and we could heartily wish that even amongst those that help to make up your own number there had not been an helping hand to this sad and deplorable work: but we see, when God's hour is come, and the time of his people's deliverance, (even the set time is at hand,) he cometh skipping over all the mountains of sin and unworthiness that we daily cast in the way.

We are not willing to detain your honours too long upon this subject; and therefore, beseeching the God of all our mercies to heal the backslidings of his people, and not to charge unto their account, in this his day of their deliverance, their miscarriages whilst they were wandering in dark and slippery places after the imaginations of their own hearts, we with all humility and affection, in the first place, congratulate you in this your happy restoration to the government of these nations, which God was pleased once so to own in your hands, as to make you both the praise and wonder of the earth, the glory and rejoicing of his people, and the terror of your adversaries; and we acknowledge it a singular condescension in you, in this day of so great difficulties, to take upon you so heavy a burden. And seeing his late highness hath been pleased to manifest so much self-denial and love to his country, in appearing for the interest thereof against his own, we humbly entreat that some speedy care may be taken for him and his family, (together with her highness dowager,) that there may be such an honourable provision settled upon them and such other dignities as are suitable to the former great services of that family to these nations.

And in the next place we cannot but humbly beseech you, now you have an opportunity—than which a fitter your hearts did never pray for—to finish the work of reformation that hath been so long upon the wheel, and met with so great obstructions, that you would

not heal the wound of the daughter of God's people slightly, but make so sure and lasting provision for both their Christian and civil rights, as that both this and future generations may have cause to rise up and call you blessed, and the blackest of designs may never be able to cast dirt in your faces any more; and, as helpful to these two great concernments, religion and liberty, we humbly propose unto your mature consideration these two desires:

First, that you would be pleased to countenance godliness, and all the sincere professors thereof, encourage an able and laborious ministry, and suffer no other yoke to be imposed upon the consciences of God's people than what may be agreeable to the word of God; and that you would be a terror to all impious, profane, and licentious people whatsoever.

Secondly, that you would so vindicate and assert the native rights and liberties of these nations in and by the government of a free state, that there may not be the voice of an oppressed one in our land, but that all may enjoy the blessed fruits of your righteous and peaceable government. And for the prevention of all possibility for ambitious spirits ever to work their ends against you, we humbly desire you to be very careful, as well what persons you intrust with the management of the armies and navies of this commonwealth, as of the measure of that power and authority you depart with to them, or substitute in them. Touching the qualifications of the persons, we desire they may be truly godly and conscientious. Touching the measure of their authority, that it may be adequate to the nature and being of a commonwealth. And whilst you are thus pleading and asserting the interest of God and his people, you may rest assured with greatest confidence that we shall appear in your defence, and the vindication of your authority, against the opposition of all arbitrary powers whatsoever.

And to that blessed and all-powerful God, who is able to spirit you for this great work, you are and shall daily be recommended in the prayers of

Your most loyal and most obedient servants,

George Monk, Thomas Read, Ralph Cobbet, Tim. Wilks, Robert Read, John Cloberry, Abra. Holmes, Henry Dorney, Dan. Davison, Richard Heath, Mi. Richardson, J. Hubblethorn, Tho. Johnson, P. Crispe, H. Brightman, Phil. Watson, Tho. Dean, Jerem. Smith, Will. Davis, James Wright, Jos. Wallinton, Will. Helling, Ethelb. Morgan, Rob. Winter, John Paddon, Anthony Nowers.

Scotland. 18. Order to refer it to the members of the house of the

council of state, or any five of them, to consider of the union between Scotland and England, and to prepare an act for it. I was by the council particularly desired to take care of this business. Union.

I had private intimation from Fleetwood that Scot had intelligence that I kept a correspondence with the king of Scots, or some of his ministers, and that Scot intended to charge me with it at the council: and therefore Fleetwood did advise me, that if it were so, that I should forbear coming to the council, and Fleetwood would take care that nothing should be further done against me; but if that I were innocent, I might use my discretion. Scot.

I wondered at this, knowing my own innocence, and therefore I did not absent myself from the council; but Scot in a cunning way represented his intelligence to the council from one of his spies beyond sea, who wrote him word, that sir Anthony Ashley Cooper and I had correspondence with sir Edward Hyde beyond seas: and this intelligencer was a beggarly Irish friar. Intelligence. Sir Anth. Cooper.

Sir Anthony Ashley Cooper made the highest professions that could be of his innocence, and the highest imprecations of God's judgments upon him and his posterity if ever he had any correspondence with the king, or with sir Edward Hyde, or any of the king's ministers or friends, and his expressions were so high, that they bred in some the more suspicion of him; but at this time he was believed, and what followed afterwards is known.

I positively denied any correspondence with the king or with Hyde, or any of the king's party, and desired no favour if they could prove any such thing against me, and moved to know my accuser; but that was waved, and I admitted in my employment of one of the council of state.

19. The house appointed judges of the admiralty for six weeks.

20. Order for a day to be kept of public humiliation.

Letters that the Jews were destructive to our trade.

21. Votes of the parliament for a free commonwealth, without a single person, kingship, or house of peers, and for maintaining magistracy and ministry, and regulating of law and equity. Votes.

Great seal. 23. Vote for the speaker Lenthal to be keeper of the great seal for eight days.

680 24. An ambassador had public audience in the house in great solemnity.

Richard. 25. The house having sent a committee to Richard, to know whether he would acquiesce in the present proceedings, and that they would provide for the payment of his debts, and an honourable subsistence for himself and his family, they returned with this answer under his hand, that he would acquiesce; and sent a list of his debts.

Addresses. 26. Several addresses were made to the house, and they referred matters touching the forces and the navy, and the prize goods, to the council of state.

27. Reference to the council of state to proceed in the treaty with the Dutch.

28. An address to the parliament from Bucks.

Army. The house considered of settling the officers of Fleetwood's regiment: this began to give some distaste to the officers of the army, that the parliament should not trust them in this business, but do it themselves.

A committee named to prepare an act of indemnity and oblivion.

Ireland. 29. Letters of the present state of affairs in Ireland from the lord Broghill, and of my lord's joining with this parliament.

30. Addresses from the north to Fleetwood and the army.

The house proceeded upon the act of indemnity.

31. Votes for addition of pay to the soldiers about London.

Great seal. Order for sequestering the profits of the keeper of the great seal for the use of the commonwealth; and that the chancery be truly reformed and regulated.

June 1659.

1. The council of state ordered me to draw a letter to general Mountague about the business of the navy.

The house proceeded about the act of indemnity.

London address. 2. An address from the common-council of London to the parliament, who gave them thanks for their good affections.

Great seal. 3. Bradshaw, Tyrell, and Fountain were voted to be commissioners of the great seal for five months.

4. An address from the county of Kent answered with thanks.

An act passed for constituting of Bradshaw, Tyrell, and Fountain commissioners of the great seal; and the oath was administered, and the great seal delivered to them in the house.

I was told by some of the house that I, Fiennes, and Lisle were not continued commissioners of the seal, because the house resolved that the commissioners should not be members of the house.

Vote for Fleetwood to be lieutenant-general of the forces. Fleetwood.

5. At the council of state I and colonel Sidney and sir Robert Honywood were named to go commissioners to the Sound, to mediate a peace between the kings of Sweden and Denmark; I was not willing to undertake this service, especially to be joined with those who would expect precedency of me, who had been formerly ambassador extraordinary to Sweden alone, and I knew well the overruling temper and height of colonel Sidney; I therefore endeavoured to excuse myself by reason of my old age and infirmities, but the council pressed it upon me. Sound. Sweden and Denmark.

6. Vote, that all commissions to officers of the army be signed by the speaker; and this distasted the army: the like for the officers of the navy. Army. Votes.

Vote, that this parliament shall not continue longer than May 7, 1660.

7. Referred to the council of state to take care for the next circuits.

Votes for commissioners for Ireland, and recalling of colonel Henry Cromwell.

8. Colonel Hacker and his officers had their commissions given them by the speaker at the table in the house, and likewise several of the sea captains.

9. Upon a letter from Bradshaw, the house dispensed with his attendance as a commissioner of the seal during his indisposition of health.

Fleetwood and other officers had their commissions in the house.

An address from the town of Aylesbury.

10. Referred to the council of state to put in colonel Fitch lieutenant of the Tower: this was Haslerigge's creature, and to put him in that place offended the city. Haslerigge.

11. Lambert and his officers took their commissions from the house.

Reference to the council of state to treat with the ambassador of the States.

Lockart. 13. Order for the council to bring in names for judges for next circuit, and for them to prepare instructions for Lockart to go ambassador into France.

Commissions given in the house to more officers.

14. A committee named to give audience to an agent from Hamburgh.

More officers had their commissions in the house, and an address was presented from Bedfordshire.

16. The business of the agents of the hanse towns in Germany referred to the council of state.

Judges voted by the house for this summer's circuit, and Tyrell, Fountain, and others voted to be sergeants-at-law.

Divers officers received their commissions in the house.

17. Vote to send a public minister into Holland, and the council to prepare instructions.

Colonel Sydenham and other officers took their commissions from the speaker.

Overton. 18. Reference to a committee, touching a grant to colonel Overton of 500*l.* per annum out of the earl of Leven's estate.

20. Judges voted for this summer's circuit, and referred to the council to take care that the people be not wronged by bailiffs and juries.

Order for a bill to reform abuses in clerks, attorneys, solicitors, and lawyers; and many orders for moneys.

Addresses. 21. Several addresses to the parliament.

Monk. Letters of high compliment from general Monk to me, and that the conduct of the union betwixt England and Scotland being left to me, he wished he might see me there.

22. Addresses to the parliament.

Sea officers took their commissions from the speaker.

I got excused from going one of the commissioners to the Sound.

Letters from colonel Henry Cromwell in Ireland of his submission to this parliament, and an address from the army there.

681 23. The business of the envoy from the king of Sweden, and the other of the Dutch, referred to the council.

24. Sir Henry Mildway, sir John Trevor, and myself appointed to attend the French ambassador to his audience to morrow. French ambassador.

Divers addresses to the house, and divers officers took their commissions from the speaker.

25. Vote that the speaker be *custos rotulorum* of Oxon and Berks.

27. Upon a petition against tithes, the house voted, that for the encouragement of a godly, preaching, learned ministry throughout the nation, the payment of the tithes shall continue as now they are, unless this parliament shall find out some other more equal and comfortable maintenance both for the ministry and satisfaction of the people. Tithes.

Addresses from Ireland to the house.

Some friends to the commissioners of the seal propounded that all might take out a general pardon.

28. Instructions voted for the plenipotentiaries going to the Sound. Sound.

30. Mr. Downing voted to go agent into Holland.

Several commissions given in the house to officers of the army.

July 1659.

1. Vote for Steel and Corbet to be sergeants-at-law, and the instructions agreed for the commissioners for Ireland.

Several officers received their commissions.

2. The public ministers of the kings of Sweden and of Denmark and of the duke of Holstein referred to the council of state for their audience.

4. Vote to exempt Richard Cromwell from all arrests for debts. Richard.

5. Order for clearing of Whitehall from any lodging there, except members of parliament and council of state.

The bill of indemnity still in debate.

6. Vote to stop the sale of Hampton Court.

Henry Cromwell gave an account to the council of state of the condition of affairs in Ireland. Henry Cromwell.

7. Colonel Desborough and other officers received their commissions in the house.

9. Colonel Alured appointed captain of the lifeguard to the parliament and council. Colonel Alured.

Several officers took their commissions.

Mr. Hugh Windham made a judge.

11. Several officers took their commissions.

12. Audience for the Portugal ambassador.

13. Commissions received in the house.

Indemnity. 14. Act of indemnity published, and several acts for several militias in London, and in counties.

Sir John Gore suspected to be in a plot against the parliament.

15. More officers received their commissions in the house, and the house settled the militia in several counties.

Richard's debts. 16. Order for a way to pay Richard Cromwell's debts, being in all 29,640*l.* and referred to a committee to provide a comfortable maintenance for him.

18. Orders to suppress riots in Enfield Chase.

Lieutenant-general Ludlow and other officers had their commissions in the house.

19. The house was busy in settling the militia, and giving commissions to officers and receiving addresses, and appointing judges of the admiralty.

Addresses. 21. Addresses to the house.

Bradshaw. Order for sergeant Bradshaw to take his oath as commissioner of the seal.

22. Order for letters to be sent from the speaker to the members of parliament that are absent, to attend the house.

Oath. Bradshaw took this oath in the house, to be true, faithful, and constant to this commonwealth, without a single person, kingship, or house of peers.

23. The house proceeded in settling the militia.

25. Letters from the duke of Tuscany to the parliament referred to the council of state.

Power to the council to issue money for the public affairs.

Several officers approved.

26. Days of public humiliation appointed.

The bill passed for the militia.

27. Address from Dunkirk forces.

Letters to the parliament from the king of Sweden.

Addresses. An address from Scotland and several others to the parliament.

Sweden. 28. Referred to the council of state to draw an answer to the king of Sweden's letter: this was put upon me, and all other matters relating to that crown and those parts.

Divers officers received their commissions.

29. Referred to the council to take security of the duke of Bucks to be faithful to this government; which they did. Duke of Bucks.

Orders for the moneys gathered for Piedmont and Poland to be paid into the exchequer; which I opposed. Piedmont.

30. I brought into the house the bill of union of England and Scotland. Union.

General Monk and divers other officers approved.

The lady Mary Howard, the earl of Berkshire's daughter, and others, were examined by me, president of the council, and the parliament ordered them to be brought to trial for treason.

Information of new plots of the cavaliers to bring in the king. Plots.

31. Many persons were examined by the council about a new conspiracy, which was evidently proved. The council sat all day and almost all night for a good while together.

Letters from sir Robert Howard to me about his horse being seized, and protesting his resolution to be quiet, and not to join in the present conspiracies.

August 1659.

1. A day appointed to consider of the regulation of the law and courts of justice. Law.

Divers officers received their commissions.

2. The house was in a grand committee upon the bill of union of England and Scotland. Union.

The parliament were busy in the treaties with the Dutch, and between the kings of Sweden and Poland.

Many commissions given in the house.

3. The fast-day kept in the house.

Letters of the insurrections in several parts of the nation.

Letters that colonel Massey was taken in Gloucestershire, and mounted before a trooper to take care of him, and to bring him prisoner to Gloucester; but riding down a steep hill, the weather being wet, and a dark night, in a great wood, the horse slipped and fell down, (which Massey caused by checking of him,) and in the fall Massey got away into the wood, and being dark crept into a bush, and the whole troop could not find him out; but he escaped, and got the next morning to a friend's house, where he was concealed about a fortnight after. Massey. 682

Sir George Booth. Intelligence of the great insurrection under sir George Booth in Cheshire.

4. The council of state were full of perplexity upon the several intelligences of risings in divers parts of the nation; and gave out their orders for the forces of the parliament to meet and oppose them; all which passed under my hand, it being my turn at this time to be president of the council.

5. Skippon and the rest of the officers of the militia of London approved by the house.

Letters of the insurrections in Worcestershire circuit from the judges referred to the council.

The parliament were busy in ordering militia forces.

More intelligence of sir George Booth's heading the insurrection in Cheshire and Lancashire, and divers principal gentlemen joining with him; particularly major Brook, a member of this parliament, and the earl of Derby appeared with divers others in Lancashire: they set forth a declaration, but did not name the king in it. The presbyterian ministers did labour to further this rising.

The council of state with great care and vigilance sent away major general Lambert with three regiments of horse, one of dragoons, and three regiments of foot, and a train of artillery, and ordered other forces to meet and join with him for the suppressing of sir George Booth and his party, who were about four thousand strong.

Lambert. 6. Lambert marched forth, and the council ordered messengers to bring intelligence from him twice or thrice a day.

Several risings in other parts were defeated by the parliament's forces which were near them: all the letters were brought to me, and divers at midnight; yet I in my bed directed answers by my secretaries, and sent them away forthwith, when the council could not meet.

Members fined. 7. The house was called and the absent members fined; Mr. Dunch 100*l.*, Mr. Brook 100*l.*, and the rest 20*l.* apiece: the house proceeded in their usual business.

Vote. 8. I being president of the council, voted by the house, that the president have power by warrant under his hand and seal, to commit any of those that should be brought to him for a fortnight's time.

London. 9. The house debated upon the government; they ordered

the lord mayor and aldermen of London to attend the council of state this day.

A proclamation passed, declaring sir George Booth and his adherents to be rebels and traitors. Proclamation.

10. The congregational churches desired leave to raise three regiments for the parliament, and had their willing consent to it.

The lord mayor and aldermen of London being with the council of state, the president declared to them, by command of the council, the designs of the enemy, the care and vigilance of the parliament and council, the taking some of the conspirators and defeating their designs, their intentions of destroying all that had been of the parliament's party, and to bring in the king.

Then I caused the proclamation to be read, it not being then published, and after the reading of it, I, in the name of the parliament and council, gave thanks to the city for their good affections and faithful adhering to the parliament, wherein their own and the whole nation's safety and peace was concerned, and desired them to persist therein.

News that Lambert was advanced to Litchfield, where all his forces were to rendezvous.

11. Orders touching the militia forces, and a petition read of the lord Craven.

12. The house proceeded in approving of officers and giving their commissions, and received letters from Lambert of his march. The council had intelligence every two or three hours from their forces now that they began to draw near the enemy, and they sat forenoon and afternoon, and very late at night; and when they were not sat, I, as president, had power to receive all letters, and to break them open, which I did many times in my bed, and returned present answers to such as I might answer; and if they were of extraordinary consequence, I sent the messengers to summon the members of the council to meet with as much speed as could be, so that Lambert had orders and directions without any delay, and all provisions necessary. Council of state.

13. The house proceeded in the business of the union with Scotland: they gave many commissions to officers. Union.

Several lords, as the duke of Bucks, de la Ware, Oxford, and Falkland, were apprehended upon suspicion to be in the Plot.

present plot: they were sent to prison all, except the duke of Bucks.

News of insurrections in several other places, but defeated by the parliament's forces.

15. Letters to the parliament from their forces: they approved officers and gave commissions.

16. Letters from Lambert, from Stafford, and from others.

Sir William Davenant was released out of prison.

17. Letters that the Moorlanders and others in Staffordshire were in arms for the parliament:

That colonel Croxton held out the castle of Chester against sir George Booth.

An insurrection in Surrey was suppressed.

18. Audience appointed for the French ambassador Bourdeaux.

Letters of sir Arthur Haslerigg's son active in Lancashire for the parliament.

Lambert. 19. Letters from Lambert to the parliament with one inclosed sent to him from sir George Booth for capitulation, with Lambert's answer and refusal of it, which the parliament approved.

In the evening a messenger came from Lambert to the parliament with a relation, that the parliament's forces followed sir George Booth so close, that he could not avoid fighting with them; and after a smart contest, Lambert gave a total rout to sir George Booth's forces, pursued them a great way, and killed and took many of them: the particulars were not yet exactly known.

Prideaux. Mr. Prideaux, the attorney-general, died; a generous person, and faithful to the parliament's interest; a good chancery-man.

Booth. 20. The messenger sent by Lambert declared in the house the good news of defeating sir George Booth and his forces;

And the great courage of the officers and soldiers of the parliament.

Two regiments from Ireland under colonel Zanchey and Axtell came over to join with Lambert.

22. Letters to the house from Lambert and others, and captain Browne, sent up by him, related in the house the good success against sir George Booth: the house voted a reward for Browne, and letters of thanks to Lambert.

The house agreed to a letter to be sent to the king of Sweden, drawn by me in answer to the king's letter to the parliament. 683

A seal for the speaker agreed.

The French ambassador had his audience very solemnly in the house; and after it the house referred it to the council of state to confer with him.

23. Letters from Lambert of the surrender of Chester to him, and letters from him to the council, and letters from Waring. Lambert.

Order for a jewel of 1000*l.* value to be bestowed on Lambert, and a letter of thanks to him, and for a thanksgiving day to be kept.

Captain Spilman, sent from Lambert, made a full relation to the house of all Lambert's proceedings.

24. Reward ordered to Jo. Roden, who took the earl of Derby prisoner.

An act for sequestering the estates of the last rebels passed.

Letters from the parliament's plenipotentiaries at the Sound. Sound.

An account given to the house by Mr. Gibbes, minister of Newport-Paganel in Bucks, of the apprehending of sir George Booth, whither he came with four servants, and behind one of them himself rode in the habit of a woman; but acting that part not well he was suspected, and being apprehended and examined, he confessed himself to be sir George Booth, and was sent up to London, and by the parliament committed to the Tower: he made applications to many of the parliament and council by his friends for favour. Booth taken.

The earl of Derby was taken in the habit of a serving-man. Colonel Shawcrosse and others were taken. E. Derby.

25. Referred to the council of state to give further instructions to the plenipotentiaries in the Sound. Sound.

26. The grand committee sat upon the bill of union. Union.

Liverpool surrendered to the parliament.

27. Letters from Lambert of the surrender of Chirke-castle.

The examination of sir George Booth taken by Haslerigge and Vane referred to the council of state.

29. Orders touching the militias.

Letters to me from general Monk desiring my assistance to continue some officers.

Applications from the lord Say and others, to save the life of sir George Booth.

30. Several officers of the army approved by the house; a list of prisoners sent to them.

31. A report to the house of the examination of sir George Booth.

September 1659.

1. The house made provision for sick and wounded soldiers, and for the wives and children of those that were slain.

2. Letters from the Sound and from Lambert.

Order for Ireton to continue lord mayor for another year.

3. Votes touching the pay of commissioned officers for the militia, and touching sequestrations, and for an engagement to be taken by the officers, in these words; viz.

Engagement. I, *A. B.*, do hereby declare, that I do renounce the pretended title of *Charles Stuart*, and the whole line of the late king James, and of every other person, as a single person, pretending to the government of these nations of England, Scotland, and Ireland, and the dominions and territories thereunto belonging: and that I will, by the grace and assistance of Almighty God, be true, faithful, and constant to this commonwealth, against any king, single person, and house of peers, and every of them; and hereunto I subscribe my name.

Order for Mordant, Browne, &c. to come in by a day, or else to be taken as traitors.

5. The house were busy in debate of the government to be settled in the three nations.

7. List of the prisoners at Chester.

James Naylor. 8. The house discharged James Naylor from his imprisonment.

9. A committee for the government in Scotland.

A representation from the ministers of Leicestershire.

Letter of thanks to colonel Zanchey.

10. General Mountague returned from the Sound.

12. The house were upon the bill of assessment, the neglect whereof was ill taken by the soldiery.

S.G.Booth. 13. Mr. Brook, a member of the house, at the bar confessed his joining with sir George Booth, for which he was disabled from being a member of parliament, and sent to the Tower for high treason.

Sir A. A. Cooper. 14. Sir Anthony Ashley Cooper voted *Not guilty of the ac-*

cusation against him of having correspondence with the king. The question was not brought against me for the same matter, there being no ground for it, as there was for the other.

Some service was done for the lady Mary Howard at the council, which was ill requited by her and her father afterwards.

15. Debate about the Irish adventurers.

16. Letters from the commissioners at the Sound, with an account of their treaty, referred to the council of state to draw answers. Sound.

The lord Ruthen petitioned for maintenance. Ruthen.

17. Vote to dissolve the corporation of the city of Chester, and that the county be no more distinct. Chester.

18. Orders for the winter's guard of ships, and divers officers approved.

20. Order for the poor knights of Windsor.

Lambert returned to London.

21. Private business excluded.

Debate about commissioners for the treasury.

22. The house being informed of an intended address to them from the army, wherein were things unacceptable to them, imposing on them, and contrary to the privilege of parliament, they ordered Ashfield, Cobbet, and Duckenfield (in whose hands the original paper thereof was) to bring it into the house in the afternoon: this discontented the officers of the army, especially Lambert, and those who were with him in the defeat of sir George Booth, who, heightened by that success, were the promoters of this address. Army. Addresses.

In the afternoon a letter was delivered into the house, signed by many officers of the army, superscribed to Ashfield, Cobbet, and Duckenfield; by whom it was desired, that the paper and the letter might be presented to Fleetwood, and after, to the general council: the paper was entitled, *The petition and proposals* (to the parliament) *of the officers under the command of Lambert, in the late northern expedition.*

23. A vote passed, contrary to one of the army's proposals, that to have any more general officers in the army than are already settled by the parliament was useless, chargeable, and dangerous to the commonwealth. This vote was opposed, as tending to cause greater divisions among them; and that it was not prudent to exasperate those who had so lately done Vote. 684

such great service for the commonwealth, by denying them a matter not of great consequence, and which for the present only would satisfy them: but the house ordered this vote to be communicated to Fleetwood. And Haslerigge, Nevil, and their friends drove it on eagerly.

Petition. 24. A petition from London, in some things not pleasing.

S. G. Booth. Report of the examination of sir George Booth, with letters from the king to him, with engagements of the king's part, and other examinations.

A day of public thanksgiving appointed.

Army. Fleetwood communicated to the officers of the army the parliament's votes touching their petition and proposals to them; and they appointed some to draw up a writing, to be presented to the parliament, to testify their adherence to them.

Colonel Brook and others, and some ministers, brought to prison, being in Booth's conspiracy.

Falconbridge. 26. Power to the council of state to send the lord Falconbridge and others to the Tower.

Orders about money.

Army. 27. Officers of the army approved, and the speaker to give them their commissions.

28. Left to the city of London to choose their mayor and officers.

The field officers of the army met, and considered of the paper for their adherence to the parliament.

29. Sergeant Shepherd made a judge in Wales.

Order for a pay of the militia forces.

Monk. Letters of compliance from general Monk and some of his officers approved.

Union. 30. The bill of union proceeded.

All business set by but matter of money and the government.

The house was called.

October 1659.

London. 1. The lord mayor and aldermen of London invited the parliament to dinner at Grocers'-hall upon the thanksgiving-day, and the house accepted their invitation.

The city also invited the council of state and the officers of the army to dinner the same day.

The officers of the army agreed upon the paper for their adherence to the parliament.

Debate touching the filling up of the house with members.

Proposals communicated to the council touching the raising of money.

3. A committee to consider of qualifications and distribution of members for parliaments.

4. Power continued to the council of state to issue moneys.

Votes for money for the army and navy.

The chapel at Somerset-house, where the French meet, excepted from being sold.

Orders for maimed soldiers.

5. Petitions from divers of the prisoners.

Monk would have had me one of the commissioners for Scotland, but I did put it off; and others were reported from the council to the house. Monk.

Letter agreed from the house to general Monk, taking notice of his faithfulness to the parliament.

Order for seals for Scotland and Ireland.

Desborough and other officers of the army, in the name of the general council of the army, presented to the house a petition and representation, in which were several matters displeasing to the house, as infringing their privileges, and seeming to impose upon them: but the house did return thanks for their good expressions, and appointed a day to consider of it. Desborough. Petition.

Orders for provision for maimed soldiers and for moneys for the army.

6. The members of parliament and of the council, and the officers of the army, after solemnizing the thanksgiving, dined together with the lord mayor, aldermen, and common council, at Grocers'-hall, where the city highly feasted them; and there were many mutual expressions of respect and love among them. London. Feasting.

7. Order for thanks to the city for their entertainment.

Several addresses to the parliament. Addresses.

Order for the council to examine the account of the moneys for Piedmont.

Letters from public ministers.

8. Resolved, that no officer of profit or trust be passed the same day that he is propounded. Vote.

A new act of sequestrations.

Debate upon the representations of the officers of the army.

10. A vote for liberty of conscience.

Answers. Army. Answers to some parts of the army's representation, and in justification of those members of the house who informed somewhat against the officers.

11. Answers to others of the proposals in the army's representation, somewhat reflecting upon the officers, and to allay them again.

Votes. Votes were passed for pay for the army, and for respect to those in the late expedition under Lambert, and for relief for wounded soldiers, and for the widows of soldiers slain.

Jealousies. Haslerigge and his party being jealous that the soldiers might break them, and raise money without them, passed an act against raising any money without consent of parliament; and this raised jealousies in the soldiers, especially being enacted high treason.

Army. 12. Debate upon the army's representation, and a letter directed to colonel Okey reflecting upon the parliament; and a printed paper of the army's representation, and the parliament's answers: which being read, the parliament discharged Lambert. Lambert, Desborough, and seven or eight more principal officers of the army who had subscribed the letter, from their military employment; and ordered and passed an act for putting out Fleetwood from being lieutenant-general of the army, and appointing him, and Ludlow, Monk, Haslerigge, Walton, Morley, and Overton, to be commissioners to govern all the forces.

This further exasperated Lambert and his party, and most of the old officers of the army then in London, and rashly added to the then divisions.

Order for the next officers to succeed those put out, and the sergeant to carry the orders of the house to them.

13. These proceedings of the parliament nettled the officers of the army, especially those who had performed so late and good service, and caused them to consider what to do for their own interest; and of these Lambert, Desborough, Berry, and the rest who were outed of their commands, were the chief.

This morning the soldiers drew out of Scotland-yard, part of them to Westminster, and possessed themselves of the
685 hall, the palace yards, and avenues; and these were such as Haslerigge, Morley, and their party had to declare for the parliament, and to be guards to them.

Evelyn, who commanded the lifeguards of the parliament, marching forth with his troop to do his service, was met by Lambert at Scotland-yard gate; and Lambert commanded Evelyn to dismount, who thought it safest to obey; and though Lambert were on foot, and none with him, yet Evelyn at the head of his troop dismounted at his command, and his troop also obeyed Lambert; who drew together some other forces, and placed them along in King's-street, and near the Abbey church and yard; and when the speaker came by in his coach, they stopped him, and caused him to return back: and so the house did not sit.

The council of state sat, where were both parties of the opposite soldiers, Lambert, Desborough, and Haslerigge, Morley and others; and they had a long and smart debate. Some of the members had got into the house, but the speaker was kept from them, and most part of their members. Those in the house were sent to from the council of state, and consulted with about an accommodation; and in the mean time, the several parties of the soldiers kept their stations, expecting orders to fall on. Council of state.

But the council of state so managed the business, and so persuaded with all parties, that at the last they came to an accommodation, to save the effusion of blood; and the parliament was not to sit, but the council of officers undertook to provide for the preservation of the peace, and to have a form of government to be drawn up for a new parliament to be shortly summoned, and so to settle all things.

This being agreed upon, (and it could not be obtained otherwise,) the council of state in the evening sent their orders, requiring all the soldiers of each party to draw off, and to depart to their several quarters; which was obeyed by them.

14. The officers of the army met, and had many debates about a settlement: they declared Fleetwood to be their commander-in-chief. Army.

On the other side, Haslerigge and his friends consulted what to do to restore themselves, and to curb the opposite officers of the army who had thus affronted them and the parliament; and they had some hopes of Monk to be their champion. Haslerigge. Monk.

15. The council of state seldom met, but some few of them in private.

17. The council of officers sent one of their company to Monk, and another into Ireland, to acquaint the officers of those forces of the proceedings here, and to desire their concurrence therein.

They suspended from their commands the officers of the army who appeared against them.

Committee of ten. They nominated a committee of ten of the council of state, Fleetwood, Lambert, Whitelocke, Vane, Desborough, Harrington, Sydenham, Berry, Salwey, and Wareston, to consider of fit ways to carry on the affairs and government.

Fleetwood. At a general council of officers, they agreed upon articles of war: they declared Fleetwood to be commander-in-chief of all the forces, and Lambert to be major general of the forces in England and Scotland: and this discontented Monk.

Lambert. They appointed Fleetwood, Lambert, Vane, Desborough, Ludlow, and Berry, to be a committee to nominate officers of the army: and they kept a day of humiliation in Whitehall chapel.

Sound. 19. Letters from the Sound that the Dutch and Danes' fleet were retreated.

21. I had notice that I was named among the officers of the army to be one of that council which they intended to set up to carry on the great affairs of the commonwealth; but I was not desirous of that employment, especially at such a time as this.

Council of officers. 22. The council of officers agreed upon the names of twenty-three persons to be of this council.

New council. 26. The general council of officers agreed upon these persons to be intrusted with the management of public affairs: Fleetwood, Lambert, Desborough, Steel, Whitelocke, Vane, Ludlow, Sydenham, Salwey, Strickland, Berry, Laurence, Harrington, Wareston, lord mayor Ireton, Tichburn, Brandrith, Thomson, Hewson, Clerk, Lilburn, Bennet, Holland; and gave them the same powers that the council of state had, and more.

Monk. A printed letter was published, as sent from general Monk, signifying his dissatisfaction with the proceedings of the forces in England.

And another letter was published as from divers of Monk's officers, signifying their concurrence with the officers in England.

Care was taken for government of the army in England, and to prevent insurrections.

27. The general council of officers agreed to call the new council *the committee of safety;* and that letters should be sent to the several members of it, to undertake the trust. Committee of safety.

The letter to me was this:

For our honoured friend Bulstrode lord Whitelocke.

SIR,

Upon consideration of the present posture of affairs of this commonwealth, the general council of officers of the army have thought fit to appoint a committee of safety for the preservation of the peace and management of the present government thereof, as also for the preparing of a form of a future government for these nations upon the foundation of a commonwealth or free state: and yourself being one of the persons nominated for that purpose, we do by their direction hereby give you notice thereof, and desire you to repair to-morrow morning, at ten of the clock, to the horse-chamber in Whitehall, in order to the service aforesaid. We rest

Your faithful friends and servants,

ZANCHEY, PACKER, SALMON, MILLES,
ALLEN, ASHFIELD, KELSEY, BISCOE,
CREED, CLERK, GOUGH, KING.

Whitehall, 27th Oct. 1659.

I was in some perplexity what to do upon this letter, and had much discourse with my friends about it: Desborough and some other great officers of the army, and actors in this business, came to me, and made it their earnest request to me to undertake this trust, and told me, that some of this committee, as Vane, Salwey, and others, had a design to overthrow magistracy, ministry, and the law; and that, to be a balance to them, they had chosen me and some others to oppose this design, and to support and preserve the laws, magistracy, and ministry in these nations. Desborough.

That they knew their abilities to do it, and depended much upon them; and that if I should deny to undertake this charge, it would much trouble the general council of officers, and be of great prejudice to the intended settlement; and 686
therefore they most earnestly desire me to accept of this

employment; and Fleetwood persuaded me to the same purpose, and many other friends were of the same opinion, and earnest with me not to decline it.

28. The committee of safety were to meet; I had revolved in my mind the present state of affairs, that there was no visible authority or power for government at this time but that of the army; that if some legal authority were not agreed upon and settled, the army would probably take it into their hands, and govern by the sword, or set up some form prejudicial to the rights and liberties of the people, and for the particular advantage and interest of the soldiery more than would be convenient.

That I knowing the purpose of Vane and others to be such, as to the lessening of the power of the laws, and so to change them and the magistracy, ministry, and government of the nation, as might be of dangerous consequence to the peace and rights of my country: to prevent which, and to keep things in a better order and form, I might be instrumental in this employment. Upon these and the like grounds, as also by the engagement of divers of the committee to join with me therein, I was persuaded to undertake it, and did meet with them at the place appointed; where I was received by them with all respect and civility.

The instructions of the committee of safety were presented to them.

29. The committee sat all day.

Declaration. The army's declaration was published of the grounds of their late proceedings.

Monk. A letter came from general Monk to the officers of the army here, of the dissatisfaction of himself and some of his officers in the late proceedings of the army here.

Persons were sent to him for his better information.

He secured Berwick for himself.

Lambert. Lambert was appointed to command the forces in the north, and to have more regiments with him.

Bradshaw dies. 31. Bradshaw died of a quartan ague, which had held him a year; a stout man, and learned in his profession; no friend of monarchy.

November 1659.

Form of government. 1. The committee of safety appointed Fleetwood, Vane, Ludlow, Salwey, and Tichburn a committee, to consider of a

form of government for the three nations, as a commonwealth, and to present it to the committee of safety.

Whaley and Goffe, and Caryl and Barker, ministers, were sent to Monk, to persuade him to a right understanding of things, and to prevent effusion of blood. Monk.

This order was made at the committee of safety, Thursday, November 1, 1659:

At the committee of safety at Whitehall.

The committee of safety taking into consideration the necessity of disposing of the great seal, so as the same may be made use of for the public service and the administration of justice; Gr. seal.

Ordered, that the custody of the great seal of England be committed to the lord Whitelocke as commissioner and keeper of the said great seal until further order. And the same was accordingly delivered to his hands by the lord president. And ordered, that an entry of the delivery of the great seal to the said lord Whitelocke, as commissioner and keeper of the said great seal, be made in the close roll in chancery, and in the office of petty bag.

WILLIAM ROBINSON,
Clerk of the committee of safety.

2. A new letter was sent to general Monk from the officers here.

The lords Northampton, Falkland, Castleton, Herbert, Howard, and Bellasis were discharged from imprisonment upon security to live peaceably; and this was to ingratiate with the cavaliers. Lords released.

Letters from Edinburgh, that general Monk and many of his officers had declared for the parliament against the officers of the army in England, and that general Monk had imprisoned some of his officers, who were of different judgment, and put others out of their command; and was preparing all things in order to restore the parliament. Monk.

Letters from colonel Pearson, who dissented from Monk, and that many of his officers and soldiers would not join with him against the army in England. Col. Pearson.

3. The commissioners of the militia of London wrote to Monk to persuade him to an accommodation. London.

Lambert went towards the north. Lambert.

4. Letters from Ireland of the forces there concurring with those here.

An answer agreed upon to a letter from Monk.

Fleetwood, Whitelocke, Desborough, and Tichburn went

London. to the lord mayor and court of aldermen in London, and acquainted them with the proceedings of Monk, and with the danger of a new civil war to the city and kingdom; and advised them to take special care for the prevention of it, and for securing the city.

New commissions. 5. New commissions ordered for raising of new forces, to Vane for a regiment of horse, and another to me for a regiment of horse, and other commissions to others.

Fast. The general council of officers kept this day a day of fasting.

Monk. Letters from Scotland, that Monk had secured several of his officers, and resolved to march into England: that divers of his officers and soldiers were discontented.

Other letters that Monk was entered England with some regiments, but retreated.

Address. An address to Fleetwood from the officers of the northern forces, of their resolution to join with the forces here.

7. The general council of officers met, and received letters from the north.

8. An answer to Monk's letter agreed upon by the general council of officers.

Fleetwood, Whitelocke, Desborough, and divers principal London. officers of the army, went to the common-council in London, and I represented to them the proceedings of Monk; and that the bottom of his design was to bring in the king upon a new civil war: I showed the danger of it to the city and nation; and counselled them to provide for their own safety, and to join for the safety of the whole nation, and for preservation of the peace. The common-council returned thanks to us, and resolved to follow our advice.

687 9. Letters from Scotland of the probability of a friendly accommodation: the like from several persons in the north.

Fleet. Letters from the officers of the fleet to Monk and his officers, to incline them to an accommodation, to this effect:

The deep sense we have of the duty incumbent on us, in this day of England's fears, trials, and temptations, puts us upon this application to your honour, unto whom not long since, most of us had a more immediate relation; and the experience we had then of your readiness to receive and grant our just desires gives us encouragement to believe the present tender will have the like resentment.

As private members of this commonwealth, we cannot but take notice of, and in secret bewail before the Lord, the intestine divi-

sions that are amongst us at this day, and the dreadful consequences likely to ensue thereupon, when duly pondered, do exceedingly afflict and even break our hearts.

All the force that the common enemy (whilst in his strength) was able to muster up against the good people of this nation, either at home or from abroad, could never raise such clouds of fears, nor impress those terrors on our hearts, as we now lie under from the apprehension of that evil which attends that distance which is between you and the army in England; which being manifested to us by a declaration lately sent from Scotland, and published by your command, and resolutions therein expressed, of your vindicating the late parliament, in opposition to the general proceedings of the general council of officers here, we have taken the boldness, not only as private Christians, but in our public capacity, as officers of the fleet, to beseech you (in the bowels of mercy and compassion to this your native country, and especially to all the Lord's people therein, whose interest we remember hath formerly been precious to you) seriously to consider,

1. Whether the undertaking you are engaged in will not make the hearts of the righteous sad, whom the Lord hath not made sad, and strengthen the hands of the wicked that he should not return from his wicked way. It being obvious to us, wherever we come, that few or none take pleasure in your proceedings but the cavaliers, who make their boast of you, and place their confidence in you; which as it is irksome to us to hear, so we trust and shall pray, that the Lord will preserve you from such a defection, as knowing that never any prospered that helped them.

2. Whether this sudden resolution against your brethren of the army, on account of their late transactions, have not some proportion with what the Israelites intended against the tribes of Reuben, Gad, and the half tribe of Manasseh, when they had built an altar of memorial on this side Jordan; and whether the same means (if used by you for information of matter of fact as by them) might not, through the Lord's blessing, have the same effect, and thereby not only bloodshed be prevented, but the work of reformation carried on.

And truly, though we shall not undertake to justify the army in their late actions, as being very unable to judge of such important affairs, (not having been of the council,) yet we hope that in the integrity of their heart and innocency of their hands they have done this thing, which we apprehend to be the ground of your dissatisfaction; and on this occasion we crave leave to remind you, that as you were satisfied with the former dissolution of this very parliament in the year 1653, and were pleased to continue your command at

sea in that juncture, (when as the undertaking of the late lord general Cromwell was not so clear to others,) and through the blessing of God obtained two signal victories against the Dutch, even in that interregnum; so we earnestly desire you will hearken unto and receive satisfaction from the officers of the army in what they have to offer in this particular.

3. We humbly offer to consideration, whether in your own observation it be not apparent that this army have in their actings hitherto cordially designed the advancement of God's glory, and the promoting and encouragement of godliness and virtue, though in persons of different judgments and persuasions? And whether the cause of God and his people hath not hereby been preserved and maintained against all opposition?

4. Whether by such undertaking (if prosecuted) the common enemy in Scotland will not soon recover strength, and become as obnoxious to England as in former times; though of late through your singular prudence, industry, and care, they have been kept under?

And whether the espousing of an interest, (distinct from your brethren of the army in England, as is reported,) contrary to those righteous principles that have hitherto been contended for, will not (instead of purchasing our desired liberties) render the good people of these nations to a condition of perfect thraldom and bondage.

The state of affairs being such, in our weak apprehensions, we have taken this freedom to unbosom our hearts to your honour; and shall earnestly pray they may take some place with you, in order to the begetting of a good understanding and agreement between yourself and your brethren here, that both you and they, as also ourselves, in our several stations by land and sea, may with one heart and consent be found doing the Lord's work in this present generation, in opposition to all corrupt interests whatsoever: in attending whereunto, a blessing may be expected from the Lord. In him we are

Your honour's humble servants.

Richard Stainer, John Lambert, Tho. Bunn, John Bourn, Robert Clark, Tho. Sparling, Bartholomew Ketcher, Charles Wager, Will. Goodson, Anthony Earning, Rich. Newberry, Henry Fen, Franc. Allen, Nath. Brown, Peter Bowen, John Stokes, Robert Story, Henry Pack, John Grove, Edw. Witheridge, Richard Haddock, Christoph. Myngs.

Nov. 4, 1659.

Commissioners granted to raise volunteers.

Ireland. 10. Letters to Monk and his officers to the same purpose from the forces in Ireland.

It was agreed that three commissioners of Monk's part should treat with three commissioners on Fleetwood's part. 688 Treaty.

11. Monk's three commissioners coming to York discoursed there with Lambert, and so far satisfied him of the reality of Monk's intentions for peace, that Lambert sent orders to stop his forces from marching further northward: this being informed to the committee of safety, I was moved to write to Lambert to advance with all his forces speedily to Monk, to endeavour to attack him before he should be better provided; and it was said by some that I suspected the reality of Monk's intentions for peace, but believed rather that he sought delays. Monk suspected.

This advice was not taken.

The committee of safety made this order:

Whereas this committee have thought it necessary, for the better management of the public revenue of this commonwealth, to appoint several persons to be commissioners of the treasury, and have directed a commission, giving them powers in that behalf to be engrossed to pass the great seal of England; these are therefore to authorize you to pass the said commission under the said great seal accordingly; for doing whereof this shall be your warrant: given at the committee of safety at Whitehall the 11th of November 1659. Treasury.

Signed, in the name and by order of the committee of safety,

A. Johnson, president.

To Bulstrode lord Whitelocke, keeper of the great seal of England.

I sealed this commission and other commissions, and the ordinary writs, in my dining-room in my lodgings at Whitehall in Scotland-yard, where I also heard motions and causes, and the council and clients came thither very willingly to attend upon their business.

They also made this order:

Whereas this committee have found it necessary, for preservation of the peace and safety of the city of London, to appoint several persons to be commissioners for the militia of the said city and liberty thereof, and have directed a commission in that behalf to be engrossed to pass the great seal of England: these are therefore to authorize you to pass the said commission under the said great seal accordingly; for doing whereof this shall be your warrant: given at the committee of safety at Whitehall this 11th day of November 1659. Militia.

Signed and directed as the other.

12. An account of their forces given by the militia of London, and other militias, to the committee of safety.

Monk's three commissioners arrived to treat.

Treaty. 16. The treaty proceeded with the three commissioners of Monk and three of Fleetwood's; and they agreed upon some articles.

Committee of nineteen. They agreed that a committee of nineteen should be appointed; five for England, not members of the army, which were Whitelocke, Vane, Ludlow, Salway, and Berry; and five for Scotland, St. John, Wareston, Harrington, Scot, and Thomson; the rest, for England, Scotland, and Ireland, to be members of the army: they to determine of the qualifications of members of the parliament.

That two field officers of every regiment, and one commissioned officer of every garrison, and ten officers of the fleet, shall meet as a general council, to advise touching the form of government.

This agreement was concluded.

Ireland. Letters from the commissioners in Ireland of the quiet posture there.

17. Monk gave more cause of the suspicion of his design.

18. I advised Fleetwood not to be too credulous of Monk's pretences.

Monk. 19. Monk's commissioners sent away to him the agreement made here by them, according to the powers which he gave them; and expected his confirmation thereof.

Letters that grave Rantzow was to come ambassador hither from the king of Denmark.

That general Monk had summoned a convention in Scotland of two persons for each shire and one for each borough.

I received this order:

Wednesday, 16 Nov. 1659.

At the committee of safety at Whitehall.

This committee, holding it convenient and necessary, for divers weighty reasons, to adjourn the remaining part of the present term from and after Saturday the 19th of this instant November; it is therefore ordered that the remaining part of the aforesaid present term, upon and from the day aforesaid, be adjourned until the first day of the next term; and to prevent the discontinuance of any process, suits, or causes now depending, or any inconvenience to the people thereby, it is also ordered that writs of adjournment of the

said term shall be issued and passed under the great seal of England in usual form for this purpose; and the lord keeper Whitelocke, keeper of the great seal, is authorized to issue forth writs accordingly.

Signed, in the name and by the order of the committee of safety,

A. JOHNSTON, president.

I caused these writs to be framed, sealed, and issued forth in time.

20. Letters that when captain Pool moved to send into England to be truly informed of the proceedings here, Monk clapped him up in prison, where he yet continues, and that many of Monk's soldiers were dissatisfied. Mr. Barker and Mr. Caryl, ministers, sent to Monk, could persuade nothing with him; nor have any but general and uncertain answers from him. Monk.

I received this order:

Friday the 18th of Nov. 1659.

At the committee of safety at Whitehall.

Ordered,

The clause of general pardon being read, considered, and approved, it is referred to the lord Whitelocke to take into consideration what further particulars are fit to be added thereunto, and present the same to this committee of safety this afternoon. 689

WILLIAM ROBINSON, clerk of the committee of safety.

This was furthered by me.

21. Letters that many of Monk's men were dissatisfied, and that Mr. Collins his chaplain had left him.

22. The general council of officers of the army made choice of commissioners to agree upon the qualifications of the members for the next parliament, or supreme delegated authority; and desired them to meet in the horse-chamber at Whitehall. Qualifications.

23. Letters from the north of Lambert's being at Newcastle; and that many of Monk's officers and soldiers came in to him.

A letter from Monk was delivered to the common-council of London, which was not relished well by them.

25. Monk's three commissioners here were very confident that he would approve what they had agreed; which was fully according to his instructions.

Some members of the former council of state gave out commissions sealed by them for raising of forces. Morley, Council of state.

Walton, Reynolds, Scot, Haslerigge, Nevil, and others of them met often.

Monk had a convention in Scotland, to whom he propounded;

Proposals. 1. That he having a call from God and man to march into England to settle the peace there, that in his absence they would preserve the peace in Scotland.

To this they answered, that they could not engage for it, wanting arms, but they would endeavour it.

2. That if troubles did arise, they would assist him to suppress them.

To this they answered, that they were incapable to do it, and it would be imprudent in them to engage in these new troubles.

3. He required money of them, which they promised to levy.

Morgan. Monk caused an engagement to be signed by the horse; and major-general Morgan was forward to assist Monk.

Form of government. 26. The committee proceeded in preparing a form of government, wherein Vane was hard to be satisfied, but did much stick to his own apprehensions.

28. Letters of Monk's march from Edinburgh towards England with bag and baggage.

29. Order for me to seal a commission to Mr. Sadler, Mr. Taylor, and others, for probate of wills.

Monk. 30. Letters from Monk to Fleetwood full of compliments and expressions of his earnest desire of a speedy settlement of the present differences: and because he perceived in the agreement signed by Fleetwood that there are some things remain there untreated of and unagreed upon, it was the resolution of him and his officers to add two more to their number, to have conference with the like number to be appointed here, to put a final end to the business, which he desired might be as soon as possible.

Upon consideration of this letter I declared my opinion, that this was only a delay in Monk to gain time, and be the better prepared for his design to bring in the king, and to bring the army here and their party into more straits for want of pay, which he had got for his forces; and therefore I advised to fall upon Monk presently, to bring the matter to

an issue, before his soldiers were more confirmed, and Fleetwood's party discouraged. But this advice was not taken, but a new treaty consented to by commissioners on each part, to be at Newcastle.

The committee of safety set forth a proclamation, prohibiting the subscribing of papers under colour of petitions, for the promoting of designs dangerous to the peace of the commonwealth. Petitions.

Ordered, that there be a committee appointed to receive an account of Mr. Downing's transactions as a public minister for this commonwealth, with the States general of the united provinces of the Netherlands; and what other things he hath to offer in relation to this affair: that the lord Whitelocke, Mr. Strickland, alderman Ireton, general Desborough, colonel Berry, and Mr. Holland, or any two of them, be a committee to receive the said account from Mr. Downing to morrow. Downing.

December 1659.

1. The lord Fanshaw was released from his imprisonment.

3. Several commissions of the militia were sealed for Westminster and Essex.

Order of the lord mayor for preservation of the peace of the city.

An address to Fleetwood from the officers under Lambert for expediting the treaty with Monk.

4. Some of the forces about London began to be discontented for want of pay, and to favour the proceedings of Monk for restoring the parliament, an enchanting word; and the forces in the north were not well settled. Army.

5. Upon some disturbances in London, some forces marched into the city to keep the peace, and were there affronted by the multitude; whereupon two of the rabble were killed, and the rest were dispersed. Tumult.

Intelligence that colonel Whetham, governor of Portsmouth and the garrison there, had declared for the restoring of the parliament; and that colonel Morley, a parliament man, was there with them to encourage them therein; whereupon the committee order a party of horse and foot to march thither to reduce them. Portsmouth.

6. The general council of the armies of the three nations met at Whitehall to consider of a form of government. Form of government.

A committee of aldermen of London came to the com- London.

mittee of safety, and excused the late tumult in the city, and that they had no hand in it.

7. The general council of the officers considered of the government; the committee of safety took care about the militia.

Irish brigade. Intelligence that colonel Zanchey with his Irish brigade obeyed the orders of Monk, and that Berwick was his headquarters.

8. I despatched some business of the seal, but was full of perplexity about the public affairs.

Booth. 9. Sir George Booth was released upon security.

Petition. A petition was delivered to the common-council from many citizens, desiring to have such a parliament as was 1642. The petition was laid aside, as a design to bring in the common enemy; and they sent a committee to Fleetwood to confer with him, who met at Whitehall.

690 10. Intelligence that Haslerigge, Morley, and Walton were in Portsmouth, that colonel Norton refused to engage them, and that the army's forces straiten the town.

Parliament. The general council of officers of the armies and fleet of the three nations sat daily; they voted, that a parliament be called before February next, to sit and act according to such qualifications as are or shall be agreed upon, and may best secure the just rights, liberties, and privileges, both civil and religious, of the people of this commonwealth.

Intelligence of attempts of insurrections in Sussex, but defeated: so was a design to surprise the Tower.

A commission was sealed to me and several other gentlemen of Bucks, for the militia of that county.

12. Intelligence that Monk was come to Berwick, and that he wrote to Lambert for a pass for his three commissioners to come thither to him, which caused suspicion of his further delay.

13. The general council of the officers agreed upon seven articles:

Articles.

1. That there be no kingship.
2. No single person as chief magistrate.
3. That an army be continued.
4. No imposition upon conscience.
5. No house of peers.
6. The legislative and executive powers to be in distinct hands.
7. Parliaments to be elected by the people.

The resolves were communicated to a committee of the common-council.

14. The council of officers signified their opinions to the committee of safety, that the best way to satisfy and appease the present distractions would be to have a parliament forthwith summoned, without a king or house of peers. Thereupon the committee agreed upon a proclamation to be issued, declaring that a parliament should be summoned to meet January next, according to qualifications; and I sealed the proclamation, which gave satisfaction to many. Officers. Parliament.

Orders by the common-council of London for preserving the peace.

Intelligence of alarms taken by Monk's forces, and that he had taken many Scots into his army, and that Newcastle was resolute for Fleetwood's party: that they suspected Monk's design to be to bring in the king. Monk.

15. The proclamation for a parliament was solemnly published; I did much further it.

At the general council of officers of the armies, when they considered of qualifications of the members and way of electing them, I informed them that some things propounded were expressly contrary to the law, and to the oath which I had taken as keeper of the seal; and therefore, if those things should be insisted upon, I could not, without breach of my oath and duty, seal writs for a parliament after that manner. Some of the officers said, that if I would not do it they would seal the writs themselves. I replied, that I was ready to deliver up the seal to them, and that it was there ready for them, if they pleased to take it from me. Whitelocke.

An officer said, that it could not be well, when in such a time as this a lawyer should be intrusted with so great a charge as the keeping of the great seal; and that it were more proper for some who had endured the dangers of the war, and adventured their lives for the service of the commonwealth, to have the keeping of the seal, than for a lawyer to have it, who had not undergone dangers as others had. I replied again, that the gentleman who disparaged lawyers might remember the services done by Ireton, Reynolds, Jones, and other lawyers in this war; and that I had been in such dangers in the service of the commonwealth, particularly in

my Swedish journey, as the colonel had never been in; and therefore desired that such reproachful language might be forborne. Fleetwood and others justified me and my profession, and silenced the colonel.

16. The general council of officers of the armies desired the committee of safety, that writs might be issued out for election of parliament-men.

Lawson. 17. Lawson and his officers set forth a declaration that the long parliament should sit again; whereupon Vane and others were sent to him to inform him better.

Insurrections. The forces lay still about Portsmouth: some designs of an insurrection at Bristol were prevented.

18. The like designs of the king's party at Colchester were prevented.

Distractions. 19. No quiet was enjoyed by any party; all were at work; and the king's party very active, and every man was guided by his own fancy and interest: those in employment were most obnoxious to trouble.

20. I wished myself out of these daily hazards, but knew not how to get free of them; the distractions were strangely high, and daily increasing.

A design of a rising in London laid by the king's party, but discovered and prevented, and many of the conspirators taken.

21. Letters that several of the forces which Fleetwood sent to reduce Portsmouth were gone into the town, and joined with them some of colonel Rich's men and others.

22. That the Isle of Wight was come in to the parliament party.

Lawson. Letters from vice-admiral Lawson and his officers to the city, and others to the militia of London, declaring for restoring the parliament;

And from Haslerigge, Walton, and Morley, from Portsmouth to the city, acquainting them with their success there.

Soldiers. Most of the soldiery about London declared their judgment to have the parliament sit again, in honour, freedom, and safety; and now those who formerly were most eager for Fleetwood's party became as violent against them, and for the parliament to sit again.

These passages perplexed me as well as others, if not more;

I all along suspecting Monk's design. The lord Willoughby and alderman Robinson, major general Browne, Mr. Loe, and others, came to me, and confirmed my suspicion in this particular; and propounded to me to go to Fleetwood, and to advise him to send forthwith to the king at Breda, to offer to bring him in upon good terms, and thereby to get beforehand with Monk, who questionless did intend to bring in the king: I, upon serious thoughts of this, went to Fleetwood, and we had a long private discourse together, wherein I told him, that by the desire of his brother, sir William Fleetwood, and of the lord Willoughby, major-general Browne, alderman Robinson, Mr. Loe, and others, I was come to discourse freely with him about our present condition, and what was fit to be done in such an exigency as our affairs were now in. That it was more than evident that Monk's design was to bring in the king, and that without any terms for the parliament party; whereby all our lives and fortunes would be at the mercy of the king and his party, who were sufficiently enraged against us, and in need of repairing their broken fortunes: Whitelocke and Fleetwood. 691

That the inclinations of the presbyterian party generally, and of many others, and of the city, and most of the parliament's old friends, were the same way, and a great part of the soldiery:

And that these here were revolted from Fleetwood, as those in the north under Lambert, and those at Portsmouth and other places:

That Monk would easily delude Haslerigge and the rest of the old parliament-men, and that all the incensed lords and secluded members would be and were active in this design, so that I said the coming in of the king was unavoidable, and that I thought (being that must be) that it was more prudence for Fleetwood and his friends to be the instruments of bringing him in, than to leave it to Monk:

That by this means Fleetwood might make terms with the king for preservation of himself and his friends, and of that cause, in a good measure, in which they had been engaged; but if it were left to Monk, they, and all that had been done, would be left to the danger of destruction:

I therefore propounded to Fleetwood to do one of these two things; either to give order for all his forces to draw

together, and himself and his friends to appear in the head of them, and see what strength they could make that would stand by them; and accordingly to take further resolutions: if they found their strength but small, (as I doubted,) then with those few he had to go to the Tower and take possession of it; and to send to the mayor and common-council of London, that they would join with them to declare for a free parliament; which I thought the city would willingly do, and furnish him with money for his soldiers, which would increase their numbers.

Fleetwood asked me if I would go with him into the field and to the Tower; I said I would. Fleetwood then asked what was the other way that I had to propound to him in this exigency; I answered, it was this:

That Fleetwood should immediately send away some person of trust to the king to Breda, to offer to him his and his friends' service to the restoring of the king to his right, and that upon such terms as the king should agree upon; and for this purpose to give instructions to the party whom Fleetwood should send upon this affair.

Fleetwood then asked me if I would be willing to go myself upon this employment; I answered, that I would go, if Fleetwood thought good to send me. And after much other discourse to this effect, Fleetwood seemed fully satisfied to send me to the king, and desired me to go and prepare myself forthwith for the journey; and that in the meantime Fleetwood and his friends would prepare the instructions for me, so that I might begin my journey this evening, or to morrow morning early.

I, going away from Fleetwood, met Vane, Desborough, and Berry in the next room, coming to speak with Fleetwood; who thereupon desired me to stay a little; and I suspected what would be the issue of their consultation; and within a quarter of an hour Fleetwood came to me, and in much passion said to me, "I cannot do it, I cannot do it." I desired his reasons why he could not do it. He answered, "These gentlemen have remembered me; and it is true that I am engaged not to do any such thing without my lord Lambert's consent."

I replied, that Lambert was at too great a distance to have his consent to this business, which must be instantly acted.

Fleetwood again said, "I cannot do it without him:" then I said, "You will ruin yourself and your friends:" he said, "I cannot help it." Then I told him I must take my leave, and so we parted.

23. I sealed some writs for the summoning of a new parliament, and sent one to the lord mayor and another to the sheriffs of London.

Colonel Ingoldsby, and his son-in-law Mr. Lee, and colonel Howard came to me, and discoursed of the change like to be; and intimated my condition to require my going to the king with the great seal; but I not consenting to their overtures, they left me, and provided for themselves. Ingoldsby.

Some of the members of the old council of state then in town, together with the old speaker Lenthal, by advice together, finding the revolt of the soldiers from Fleetwood, gave out orders for the forces about the town to rendezvous to morrow in Lincoln's-Inn Fields, under colonel Okey and Alured.

Intelligence that Haslerigge and the forces at Portsmouth intended speedily to come to London.

24. The soldiers were drawn out, and, marching through Chancery-lane, made a stand at the speaker's house, who came to them in the street, and the officers spake to him in the name of the soldiery, being sorry for the late defection, and resolving for the future to adhere to the parliament. The soldiers gave loud shouts, and the speaker gave out orders for their disposal, and gave them the word.

The speaker, with Cooper, Reynolds, Weaver, and Berners, went to the lord mayor, and discoursed with him and the sheriffs touching the parliament's meeting again speedily, and found them to like well of it; from him they went to the Tower, and secured that. Parliament.

News from Ireland that the forces there had declared for the parliament, who a little before had declared for Fleetwood, and Jones and Corbet were secured there. Ireland.

Lawson wrote to the city and to the militia of London, and declared for the parliament; so did the regiment of Desborough, who was so active against the parliament; and the like was done by Zanchey's brigade; and orders were sent to the forces under Lambert to obey the parliament. Lawson. Desborough. Zanchey.

Letters from Newcastle that there was no hopes of any further treaty with Monk.

25. More letters from Lawson to the same effect with the former, and yet against the king.

Parliament. 26. The speaker and members of parliament then in town met at Whitehall, and from thence walked together to the parliament-house in the evening; the soldiers shouted as they passed by, who, not long before, by force kept them from sitting.

They passed some votes for pay of the army; and appointed colonel Popham, Thomson, Scot, Okey, Cooper, and others, to direct and order the forces.

White-locke. 27. I saw how things passed, and that the old parliament were now met again, who I knew would be severe against me for acting in the committee of safety; and being informed that Scot and Nevil and others had threatened to take away my life; and Scot said that I should be hanged with the great seal about my neck; and I knew Scot's malice to me
692 upon some former contests about elections to parliament: this made me to consider how to provide for my own safety.

Chaloner. The parliament released Mr. Chaloner and others committed by Fleetwood, and made several committees.

They appointed the 5th of January next to consider the cases of absent members.

White-locke. The speaker sent a letter to me, requiring my attendance in the house; whereupon I went to the speaker, and made my objections, that some in the house seeing me there might move against me, and get me sent to prison. The speaker said, he believed no such thing would be moved, but they would take it as an owning of their authority, if I sat with them.

Upon this I went to the house, and found many of my old acquaintance, as Reynolds, Nevil, and others, very reserved to me: and some of my friends advised me not to be in the house at the day when they had appointed to consider of the absent members.

Order for letters of thanks to be sent to Monk, Lawson, and the commissioners at Portsmouth.

Monk. Letters from Monk, of an obstruction in the treaty, for that Haslerigge, Walton and Morley acted at Portsmouth

by the same authority, and as equal commissioners with Monk: and that Lambert had denied a pass for Monk's messenger to go to them; but this was not now thought to be of much effect.

28. Colonel H. Ingoldsby reported to the parliament, that he and major Wildman, with three hundred volunteer horse, came before Windsor-castle, and the governor, colonel Whitchcoat, surrendered to them for the use of the parliament. I doubted lest this might bring my name in question, I being constable of that castle; and Wildman having been employed with me by Fleetwood to consider of a form of government of a free state, wherein we two, and none else, had gone far, I now doubted lest Wildman had discovered this, and the more, because Wildman had before offered to bring three thousand horse to me to be commanded by me, if I would keep Windsor-castle, and declare for a free commonwealth: but I saw no likelihood of effect in this; and Wildman carried himself prudently and faithfully, and nothing was said of me. And Ingoldsby had the thanks of the house for his good service. Windsor-castle. Whitelocke. Wildman.

Several votes for money, and for an act of indemnity.

29. Desborough sent an humble letter to the house, acknowledging his fault, and asking their pardon, and promising to be obedient to them. Desborough.

The militia soldiers of Westminster drew together and met the speaker, and with shouts declared their adherence to the parliament. Militia.

Sir Arthur Haslerigge, Walton, and Morley came into the house in their riding habits, and Haslerigge was very jocund and high. The house ordered thanks to be given them, and to Wallop, Love, and Nevil, for their good service at Portsmouth. Haslerigge.

The house approved of the placing and displacing of officers by Monk; and ordered a letter of thanks, under the seal of the parliament, to be sent to him for his fidelity and great services. Monk.

They also approved what had been done by the members of the council of state during the interruption, and thanks to the speaker, and to Lawson and his officers, and to colonel Whetham and his officers.

A day of humiliation appointed.

Thanks to colonel Rich and Mr. Bremen, and their officers.

The house began to name a council of state.

Haslerigge. I went to visit Haslerigge at his lodgings in Whitehall, and to bid him welcome to town, and to find how his inclinations stood: I found with him H. Nevil, and they were both very reserved to me, and ranted high against the committee of safety.

30. Orders about moneys, and for managing of the army.

A great sharpness in the house towards all those who had acted during the interruption was observed by me: and I being informed of a design of some in the house to question me, and to have me sent to the Tower, to be out of the way, I retired to a friend's house in the country.

31. The house agreed upon the members of parliament to be of the council of state.

Parliament. They read an act of indemnity for officers and soldiers; appointed a committee to confer with the lord mayor and aldermen about the peace of London; appointed Haslerigge, Walton, and Morley for the present to name officers of the

Colonel Dixwell. regiments, and colonel Dixwell governor of Dover.

January 1659.

2. An act passed for the council of state.

Order for a bill to renounce the title of *Charles Stuart*, and of the line of king James, to be taken by all members of parliament.

Orders touching money for the army.

Report of vice-admiral Lawson's concurrence with the par-

City. liament, and of the city's obedience to the parliament, and that they would take down the posts and chains lately set up.

Indemnity. An act of indemnity passed for the officers and soldiers of the army who should submit to the parliament by a day, and Lambert to be included in it.

Lockart. 3. Several letters to the parliament; one from colonel Lockart, of his concurrence with the parliament, and resolution to obey them. He had thanks ordered to be sent to him, and provisions for his garrison at Dunkirk.

Order for writs to fill up the parliament.

Great seal. Before my going out of town, I had left order with my wife to carry the great seal to the speaker, which she did, locked up in a desk, and gave the key of it to him.

My wife also burnt many of my papers relating to the public affairs, which makes the present relations the less perfect.

4. The house kept a day of humiliation, and afterwards read some letters, and made some references.

Letters from Monk in Scotland, of the good condition of his army, and resolution to adhere to this parliament, and to march to reduce Lambert's forces, in case they did not conform to the parliament. Monk.

The messenger related that he met Lambert, with about fifty horse, at North-Allerton; that all his forces and himself, and the lord Fairfax and his forces, and York, had all submitted to this parliament. Lambert.

5. Order to send for Ludlow and the commissioners out of Ireland, and referred to the council of state to consider of settling the civil power and the army there. Ludlow.

Vote to confirm the discharge of the members in 48 and 49.

6. Letters from Monk to the parliament, owning his former prevarications in the treaty with Fleetwood, for the service of the parliament, and promising obedience and faithfulness to this parliament. 693 Monk.

Order for a letter of thanks to Monk for his high deservings, and to desire him to come up to London as speedily as he can.

Letters from the lord Fairfax, sir Henry Cholmley, and Arthington, of their raising volunteers for the parliament; and of their taking in of York for the parliament; and complaining of Lambert's assessments upon the country. Lord Fairfax.

Thanks ordered to be sent to them.

Letters from Lambert of submission.

7. Order for observation of the Lord's day.

For the maimed soldiers and for money.

Sir Anthony Ashley Cooper admitted upon his election to sit in parliament. A. Cooper.

Colonel Morley made lieutenant of the Tower.

Letters from York of colonel Lilburn's declaring for the parliament.

A conference between the committee of parliament and a committee of London, about the safety of the city. London.

9. Letters from Monk from Weller.

Order for selling the estates of those who were with sir George Booth. S. G. Booth.

Orders about the admiralty.

Lawson. Lawson was brought into the house, and at the bar received the thanks of the house for his good service in the late interruption of parliament; and the house approved the officers placed by him.

Great seal. A committee to consider of fit persons to be commissioners of the seal, and judges.

Vane. Sir Henry Vane being sent for, came and took his place in the house, and was questioned for his acting during the late interruption: to which he made an ingenious answer. And it was voted, that he should forthwith repair to his house at Raby, in the county of Durham, and remain there during the pleasure of the parliament. And he was discharged from being a member of this parliament.

Officers confined. Lambert, Desborough, Ashfield, Berry, Kelsey, Cobbet, and Creed were confined to their several houses furthest off from London: and the council of state ordered to send for and confine other officers of the army, who had acted against the parliament in the late interruption.

10. Order to consider, this day sev'night, of the members of parliament against whom matters are objected.

Scot. 11. Scot made *custos rotulorum* of Westminster.

Crook. Unton Crook made colonel of Berry's regiment; Walton of that late colonel Morley's; and sir Anthony Ashley Cooper of that regiment of horse late the lord Fleetwood's.

Letters that Monk was come as far as York with about five thousand men.

Monk. 12. Letters from Monk from Newcastle, brought by Mr. Gumbell, who had 100*l.* given him.

Order for the speaker to seal a commission of oyer and terminer for London.

Thanks sent to general Morgan for his good service.

Letters of submission from Ludlow and Corbet from Ireland.

Lists of officers brought in.

Speaker. 13. The speaker, being sick, had leave to be absent for ten days; and Mr. Say was speaker *pro tempore*.

The great seal delivered to the speaker Lenthal till further order of the house.

14. Order for the council to secure the officers formerly confined, or any other that do not repair to their houses in the country to which they are confined.

Order for Scot to be secretary of state. Scot.

Order for disbanding Vane's regiment of foot.

Letters of Monk's advance to Newark with sixty-six companies of foot and two and twenty troops of horse.

16. Flattering letters of Monk's carriage in Scotland when there.

Alderman Bunce and others released out of prison.

Mr. Scot and Mr. Luke Robinson ordered to go to meet Monk, and to congratulate from the parliament his great services and good success, and his repairing towards London, and to let him know that the house would provide money for his forces. Robinson. Monk.

17. The house proceeded against colonel Sydenham for acting against them during the interruption, and after his answer discharged him from being a member of this parliament. Col. Sydenham.

Then they proceeded against major Salwey, and voted him to be suspended from sitting in parliament, and to be sent to the Tower during the parliament's pleasure. Salwey.

Downing was sent agent to the states of the Netherlands. Downing.

Widdrington, Tyrrel, and Fountain voted to be commissioners of the seal; Great seal.

Newdigate to be chief justice; Hill and Nicholas judges of the upper bench; St. John chief justice; Windham and Archer judges of the common pleas; Wilde chief baron; Thorpe and Parker barons of the exchequer. Judges.

19. Officers out of Ireland brought into the house gave an account of affairs there, and brought letters from sir Hardress Waller, sir Charles Coote, sir Theophilus Jones; with articles of treason against Ludlow, Corbet, Jones, and Thomlinson, former commissioners there. The powers formerly granted to them were suspended by the house: and they appointed new commissioners for Ireland, sir Hardress Waller, Mr. Weaver, Robert Goodwyn, sir Charles Coote, and colonel Markham. Ireland.

Order for Ludlow and the rest to attend the house, to answer to the articles of treason against them.

The officers of Ireland had thanks.

The great seal was delivered in the house to Widdrington, Tyrrel, and Fountain.

Commissions given in the house to several officers of the army.

Monk. A letter to Monk, to congratulate him, sent by three of the city.

21. Letters from Monk, of his approach near London, desiring the order of parliament how to dispose of his forces for their service, and protesting all faithfulness and obedience to them.

Overton. Letters from Monk to Overton about the security of Hull, and their adhering to this parliament: to which Overton the governor made an ingenious answer that reflected upon Monk, as to the secluded members, and a single person.

23. Commissions given out to officers.

The house agreed upon a declaration.

Letters of a tumult in Exeter, the people declaring for a free parliament, quieted.

Free parliament. Letters that Monk and his forces were complimented in their march, and addresses made by some for the secluded
694 members, by others for a free parliament; that Monk gave the hearing to all, but declared his purpose to none: that Hull is for this parliament.

24. Order that colonel Charles Fleetwood, the lord Whitelocke, Mr. Strickland, and Mr. Holland, do attend the house this day sev'night.

Committee of safety. Order that papers of the committee of safety and council of officers be brought in to the clerk of the parliament, and Mr. Scobell to attend the house, and all members to attend the house this day sev'night, on pain of 20*l.*

Order for the members to name justices of peace.

The people of Berks met at Abington upon a false rumour that a knight of the shire was to be chosen.

25. Orders about moneys, and touching the militia forces.

Sir Robert Pye. Sir Robert Pye and major Fincher committed to the Tower for delivering a seditious paper to the speaker.

Scot and Robinson. Letters that Scot and Robinson, the parliament's commissioners to Monk, went out to meet him six miles from

Monk. Leicester, and the forces with Monk gave volleys of shot, and the bells rang where Monk came, and many gentlemen of the countries came and saluted him; Monk alighted from his horse to salute the parliament's commissioners, and went with them in their coach to Leicester, and there supped with

them in their quarters: multitudes of people came to see them, and Monk expressed the height of respect to the commissioners. The mayor and aldermen banqueted Monk.

The officers of the army in Ireland wrote to Ludlow, to surrender the fort of Duncannon to the parliament.

26. The house was busy about the assessment, and sat all day.

Order about discoveries of moneys due to the commonwealth.

Order for an act to justify the proceedings of Monk; he was made *custos rotulorum* of Devon.

Letters from Monk and from the commissioners with him; who highly extol his respects to the parliament, and his faithfulness to them, and his civilities to their commissioners.

Mr. Gomble, Monk's chaplain, recommended by the house to be a fellow of Eton college. Mr. Gomble.

Lambert confined to Holmby.

27. Order about a suit between Mr. Nevil and the high sheriff of Berks concerning a return of his election.

Votes about the committee of the army, and about the admiralty.

And divers officers of the army approved.

28. Letters of Monk's coming to Northampton with the parliament's commissioners, that a hundred gentlemen presented a paper to Monk, desiring him to be instrumental for the secluded members, or for a free parliament; to which he answered, that he was but a servant to the parliament in a military capacity, and these things, of great and civil concernment, were to be left to the judgment of parliament; and he thanked them for their respects to him. Monk. Free parliament.

Four thousand pounds seized upon as money to be sent to the king.

Addresses to Monk in his march from the gentry of several counties, to the same effect with that in Northamptonshire. He came to St. Alban's, and the high sheriff of Hertfordshire met him; he expressed all duty and obedience to this parliament. Addresses.

The lord Richardson, sir John Hobbert, and sir Horatio Townshend brought an address from Norfolk to the parliament, for the secluded members to be readmitted, or a free parliament.

Lawson and his officers courted Monk.

30. Upon letters from Monk from St. Alban's, the house agreed to the quartering of his forces, as he propounded.

This day, the business appointed touching Fleetwood, Whitelocke, Strickland, and others, was put off for a week longer.

Orders for money for the forces of Monk.

31. Officers approved, and a bill committed for approving the actions of general Monk.

Watermen. An address to the parliament from the watermen, protesting their fidelity and joy.

February 1659.

Dr. Clarges. 1. Dr. Clarges made commissary general of the musters.

Monk. Letters from Monk to the parliament, and Monk made keeper of St. James's park.

Vane. Order for sir Henry Vane to be taken into custody and sent to Raby.

Order for the soldiers in and about London to march forth, to make room for Monk's soldiers.

Divers addresses made to Monk, and great resort to him.

Addresses. Addresses to the city of London, to the same effect as to Monk from some counties.

2. Several commissions given by the speaker to officers of the army.

Votes for money for the army.

Votes touching the admiralty.

3. Commissions delivered to officers of the army, and letters to bring in the assessments.

Tumults. Referred to the council of state to examine the business of the tumult yesterday in London, which was for a free parliament.

4. Commissions delivered to officers of the army, and a sheriff named.

Monk. Order that commissioner general Monk do attend the parliament, to receive their sense, in relation to his signal and faithful services; and Scot and Robinson to accompany him.

Debate upon qualifications of members to sit in the next parliament.

Kent. Letters of a declaration of Kent for the secluded members and a free parliament, but hearing that Monk had declared to submit to the settlements which this present parliament should make, they desisted.

Some of the foot soldiers who were to march out of town, to make room for Monk's soldiers, fell into a mutiny, and kept Somerset-house as a garrison; but being assured of a month's pay, and by the care of their colonel sir John Lenthal, they were quieted, and marched out. Mutiny.

Another tumult of apprentices declaring for a free parliament was suppressed by a party of horse of the army, and many of the mutineers imprisoned. Prentices.

Monk marched into London in all state with his horse and foot, and came to Whitehall, where his quarters were provided for him. Monk.

The speaker met him in the Strand, and Monk alighted, and the speaker came out of his coach, and they embraced each other with extraordinary signs of kindness.

This evening Monk was at the council, and visited by all the members of parliament, against whom he was come, and by the grandees in town.

Cockeram's regiment at Gravesend in a mutiny; Monk sent some troops of horse to reduce them. Mutiny.

6. Divers of the king's party came from beyond sea into England, and talked very high, and that they were sure that the king would be in England very shortly. 695

Orders for the lent circuits, and about the admiralty, and for the profits of the office of *custos brevium* to be for the navy: and so for the profits of the court of admiralty, and of probate of wills; and orders about the engagement, and the government of Scotland, and for money for the army. Orders.

Commissions delivered to officers.

Scot reported that Monk was come to attend the house, and was in the court of wards. The sergeant-at-arms was sent for him; and brought him into the house accompanied with Scot and Robinson; after his obeisance, a chair of velvet being set for him on the left hand within the bar, the speaker desired him to sit down; but he desired to be excused, and stood behind the chair, whilst the speaker made a speech to him, magnifying his service and merits, and giving him the hearty thanks of the house. Monk in parliament. Speaker.

Monk answered him, extolling the mercy of their restitution, and acknowledging the goodness of God to him, in making him instrumental therein, which was but his duty, and deserved not the honour they had done him. He told Answer.

them of the many addresses to him in his journey for a free and full parliament, and that this parliament would determine their sitting.

That as to the secluded members, he answered them, that this parliament had already given their judgment, in which all ought to acquiesce; and that no parliament had admitted new members to sit without a previous oath or engagement; and he now saith it to the parliament, that the less oaths and engagements are imposed, the settlement will be the sooner attained; and he hoped the parliament would be careful that neither the cavalier nor fanatic party have yet a share in the civil or military power.

Then he spake of Ireland and of Scotland, who feared nothing more than to be be overrun with fanatic notions; and he desired a settlement there, and their favour to that nation.

Part of his speech troubled and amused some of his masters of the parliament; and how himself pursued what he pretended will afterwards appear.

7. Orders for a great seal for Scotland, and another for Ireland.

Commissions delivered by the speaker.

An additional act of sequestrations passed.

And an order to take into consideration, on Friday next, the cases of the members of parliament against whom matters have been objected.

8. Lists of officers approved.

Debate of qualifications of future members of parliament.

Tumult. Letters of a great tumult in Bristol for a free parliament, but quieted, by promising an address to the parliament for it.

The mutineers of colonel Cockram's regiment at Gravesend reduced, and some of them taken.

The Dutch ambassador had audience at the council of state.

London. 9. The council of state finding the city of London generally inclined to the bringing in of the king, or to have forthwith a free parliament for that end, and suspecting that they might disown the parliament's authority, and set up for themselves, and that the presbyterians there and in the countries joined with the cavaliers herein; the council made some resolutions

which they reported to the parliament, and were approved by them; and votes passed,

That the commissioners for government of the army do appoint forces to be in London for preserving the peace thereof, and of the commonwealth, and for reducing of the city to the obedience of parliament: and that the commissioners take care that the posts and chains in London be taken away, and that the gates of the city be forthwith destroyed; Votes. Posts and chains.

And that the commissioners of the army do seize some officers who have not confined themselves according to former order; and they approved what they had done in securing divers citizens.

An address of divers citizens, presented by Mr. Praise God Barebones, of adhering to this parliament. Barebones.

Upon a letter from Monk the parliament ordered to send to him the resolves of the house, that the gates of the city of London and the portcullises be destroyed, and that he be ordered to put the said votes in execution.

Monk was not well satisfied that this order was before directed to the commissioners for government of the army, and himself not named therein, but left out as a cypher; but upon advice with his friends, he this day executed their order, and in sight of the citizens took down their portcullises and gates, and took away their posts and chains: many lookers on admired at it, but none offered any opposition. And this night Monk and his forces quartered in the city, where he had many visitants of the chief citizens and of the secluded members and others. Posts and chains.

To these he minced and excused this action; and assured his confidents that it was still in order to his and their great design, and hardly gave the same account to two men; but the thing was done, and many amazed that he did it.

The parliament finding the common-council of London to be against them, ordered that it should be discontinued, and an act brought in to constitute a new common-council: they sent thanks to the lord mayor for his discreet carriage in this business. Common-council.

They debate the qualifications.

10. Commissions delivered to officers, and lists approved.

Orders about prize goods.

A bill read for appointing commissioners for the army, which was held no great policy nor courtship in relation to Monk.

Orders for money for the soldiers, and for the militia of London, and about trade.

Reference to the council, to consider what is further to be done for the safety of the parliament and city, and to suppress seditious meetings.

11. Commissions delivered to officers.

Orders for judges for next circuit.

Upon a letter from Monk and his officers, the house ordered thanks to him for securing the city; and in answer to their desire for filling up the house, they said they were upon the qualifications. Scot and Robinson ordered to carry this answer to him; and they much boasted of their intimacy and favour with him.

Scot and Robinson.

Commissioners of the army.

They passed an act to appoint Monk, Haslerigge, Walton, Morley, and Alured commissioners for government of the army; at which Monk was noted to be discontented, and many judged it an act of no great present policy; but Haslerigge especially did drive on furiously. The house adjourned till Monday.

Monk.

12. Monk drew up his forces in Finsbury, dined with the lord mayor, had conference with him and the court of alder-
696 men, retired to the Bullhead in Cheapside, and quartered at the glasshouse in Broad-street; multitudes of people followed him, congratulating his coming into the city, making loud shouts and bonfires, and ringing the bells; he heard a sermon at Paul's with the lord mayor: Okey was sent with his regiment to quiet Bristol.

York.

13. Intelligence from York of an address from the city and the country to the parliament, for the secluded members and a free parliament.

Order for the sergeant-at-arms to carry sir Henry Vane to his house at Bellew in Lincolnshire.

A proclamation for Lambert to render himself by a day, or to be sequestered.

Committee of safety.

Order for the members of parliament who acted in the committee of safety to attend this day sev'night, and the sergeant-at-arms to summon them accordingly. The papers of the committee of safety ordered to be brought in.

Orders for money for the army.

Debate about the qualifications.

The engagement agreed upon, to be true and faithful to the commonwealth of England, and the government thereof in the way of commonwealth and free state, without a king, single person, or house of lords. Engagement.

14. Order for money for Monk's forces that came out of Scotland with him, as he shall order.

15. Letters from Overton from Hull, with a declaration for the secluded members, or a free parliament, and a letter to Monk with it, referred to the council of state. Overton.

A scandalous paper against some members of parliament referred to a committee.

Qualifications agreed upon for future members of parliament, and an order for writs for new elections to fill up the house. Qualifications.

An address to Monk from Oxfordshire, for readmitting the secluded members, and that no previous oaths or engagements might be imposed on any that should be elected members of parliament: to this Monk answered, that the parliament had these matters under their present consideration, and he wished these gentlemen and all others to acquiesce in their determination. Secluded members.

Monk removed his quarters to alderman Wale's house, where he was visited and consulted by the chief citizens and ministers; and he gave them plausible hopes of their design being compassed.

An address from the north for the secluded members, or a free parliament, and no taxes till then. Address.

By Monk's order many were disarmed in the city.

16. Order for the committee of plundered ministers to sit, and many added commissioners for the assessments.

Mr. attorney general Reynolds reported commissions for the judges of the admiralty, and for probate of wills, which passed.

Amendments agreed to the qualifications.

17. Additions to the commissioners of assessments.

A form of a writ agreed on for elections of members of parliament.

18. The act of qualifications passed.

Several addresses to Monk to the same effect with the former.

Two soldiers hanged for disorders: other soldiers were whipped: their offences were mutiny and robbery.

Secluded members. Some members of the parliament now sitting, and about twelve of the secluded members, met at Monk's quarters by appointment, and had conference about readmitting the secluded members.

And here began the great turn, and the design of Monk to take place, to the regret of Haslerigge, Scot, &c.

A tumult at Bury appeased.

Monk. It pleased Monk that the secluded members should sit again; and neither Scot or Robinson, nor Haslerigge nor Nevil, nor any of that party, could prevail with him to the contrary, nor durst any to oppose him; and the spirit of the people generally, especially of the presbyterians, ran that way, and the cavaliers agreed to it, as the way to bring in the king.

19. Other meetings of the secluded members being had, it was agreed that they should take their places in the parliament on Tuesday next.

Secluded members restored. 21. The secluded members came into the house; several of the old members absented themselves.

The house being thus changed made a great change in the public affairs.

Votes. Several votes were now passed without much debate, to vacate all the votes made by the house 1648 and 1649, against the secluded members, and to set all matters right again in relation to them; and a committee made to consider what other votes were fit to be vacated.

Monk. Then, to please their patron, they voted Monk to be general of all the forces in England, Scotland, and Ireland.

Lawson. Lawson was voted to be vice-admiral, and the powers given to the commissioners for government of the army were repealed.

Pye. Sir Robert Pye, Fincher, and others released of their imprisonment. All orders of the council of state, or commissioners of the army, concerning the forces, are to be communicated to Monk, and not to be proceeded upon without his approbation. The powers given to the council of state to be taken away, and a new council to be chosen.

Common-council. Order to restore the common-council of London to their liberty, and for the city to set up again their posts, chains,

gates, and portcullises. The members of parliament ordered to attend the house; the imprisoned apprentices released by order, and the cause of the imprisonment of sir George Booth, colonel Brook, the lord Crauford, lord Lauderdale, and lord St. Clare, to be certified to the house.

22. More former votes vacated.

Major-general Browne restored to his place in parliament.

Sir George Booth released upon security, and his sequestration stopped.

Order for a new parliament to be summoned to meet April 25, 1660. New parliament.

A committee named to prepare qualifications for it.

The city returned thanks to the house for their favour: and the house sent to borrow money of them.

Monk took up his quarters at St. James's house.

23. Divers, imprisoned for addresses to the former house, were released; and ordered that no private business be admitted during the sitting of this parliament.

All powers granted for the several militias repealed, and an act to be for new settling of them.

The vote repealed that Scot be secretary of state.

The city sent a congratulation to the parliament for their restoration, and consented to lend them 60,000*l.* for pay of the forces, and petitioned for settling their militia in such hands as the city might confide in, and named in a list commissioners for their militia, which the house approved. City. 679

A day of thanksgiving appointed.

The council of state named.

Several sheriffs appointed.

Vote to discharge Mr. Bulstrode from being a commissioner for the excise. This gentleman I had put in formerly to be a commissioner of the excise; and although he had faithfully served the parliament, yet that was not now considered, but he was set by; and perhaps the rather, because of his kindred to me, to make way for another: the like was done to others, and several new officers made. New officers.

Order for a bill to dissolve the present parliament.

25. The act passed for constituting George Monk, esquire, captain general and commander-in-chief, under the parliament, of all the land forces in England, Scotland, and Ireland. Monk.

An act passed for constituting the council of state, with a repeal of the act for the former council.

An act passed for continuance of the excise aud customs; and votes about those customs.

The lent circuits put off, and commissions of oyer and terminer to be issued forth in the several counties.

Several persons discharged of their imprisonments and sequestrations.

A pardon passed for divers reprieved persons.

Free parliament. A declaration from the officers of the army in Ireland for the secluded members and for a free parliament.

Sir Hardress Waller opposed by Coot and others.

Monk. The city advanced money for the parliament. They entertained Monk and his officers at dinner on the thanksgiving day.

Monk visited the speaker at the rolls.

Ingoldsby sent by Monk with forces to quiet the regiment at Bury.

Colonel Morley, lieutenant of the Tower, concurred with Monk.

Sir George Booth. 27. Votes to make void all that was done in parliament against those of sir George Booth's party and against Chester. This was sufficient to cause men to suppose what was intended.

The speaker made chamberlain of Chester.

An oath passed for the officers of the council of state.

A proclamation for the officers of the army to continue with their soldiers.

Vote for the council, that they may secure any persons, though they be members of parliament, to prevent public danger.

John Thomson and John Thurloe, esquires, voted to be secretaries of state.

Vote for Dr. Clarges, Monk's friend, to have the hamper office.

Monk. Letters from York, that by Monk's letters to the forces there he had given them so full satisfaction of his joining against the old enemy, and that family, that they concurred with him; but if he should do otherwise, they would oppose him.

29. A committee to examine matters touching sequestered ministers.

Debate of security for money to be lent by the city, and votes touching the militia of the city and other militias.

A few arms seized in the houses of lieutenant colonel Kiffin and others.

Monk made Mr. Carew Raleigh governor of Jersey.

Colonel Unton Crook and his regiment's concurrence with Monk declared by them, and the like by other regiments.

March 1659.

1. Sir George Gerrard voted to be *custos rotulorum* of Middlesex.

Order for maimed soldiers, &c., and for the poor knights of Windsor.

Order about the public revenue, and the assessment, and for wounded seamen.

Vote that this parliament be dissolved at or before the fifteenth day of this instant March.

A message to the city for money.

2. The confession of faith of the assembly of divines agreed unto by the house, except the thirty and thirty-first chapters, which are touching church censures and synods. Assembly of divines.

Monk and Mountague voted to be generals at sea: both fit for the intended design.

Orders touching the militias, and for maimed soldiers, &c., and about the settlement of Ireland.

Repeal of former votes against Hollis, and of two late acts of sequestrations.

3. The question betwixt Dr. Reynolds and Dr. Owen, about the deanery of Christ-Church, referred to a committee.

The earl of Crauford and Lauderdale and the lord Sinclair released from their imprisonment in Windsor-castle.

Orders about the admiralty and navy, and prize goods: Dr. Walker put out from being judge advocate.

Sir Anthony Ashley Cooper's regiment declared for the parliament and for Monk.

Courting addresses to Monk from Northamptonshire and Nottinghamshire.

Intelligence of the death of the king of Sweden, a gallant, wise, just, and valiant prince. The protestant interest lost a great patron. King of Sweden dies.

A soldier hanged for murder.

Monk was feasted by several companies in London.

5. An act passed for the public confession of faith.

Divers sheriffs of counties named.

Orders for a proclamation to put the laws in execution against papists.

Orders for the militias and for justices of peace.

Orders for printing and setting up in churches the solemn league and covenant.

6. Some sheriffs named.

Lambert. Lambert committed to the Tower, and Haslerigge ordered to attend the house.

Overton. Overton discharged from being governor of Hull and a colonel.

Divers commissions for the militia passed: persons and arms apprehended.

Colonel Rich. 7. The house approved the commitment of colonel Rich by the council of state, though he was a member of the house, and referred his further examination to the council: his crime was for persuading his soldiers to obey the parliament and to stand against *Charles Stuart*.

Haslerigge. The like approbation of what the council had done in the case of Haslerigge, and his further examination referred to the council.

Overton. Letters that Overton persuaded divers officers to stand against having a single person in the government: the council reported this, and referred to them.

698 Letters from sir George Ascue of the king of Sweden's death of a fever at Gottenburgh.

Lambert committed to the Tower by the council of state.

Letters that the king went from Bruxels to Calais.

8. Votes touching the militias.

A proclamation for executing the laws against papists.

9. Votes touching the assessment.

New parliament. The bill for calling a new parliament the 25th of April next, committed, and the committee to consider of qualifications.

10. Orders touching the militia of London, and other militias in a general bill.

Overton. Letters from Overton to Monk and to the council, wherein he submits to their commands, and protests his faithfulness

in defence of his country's rights against any arbitrary or kingly innovation. He was discharged of his command.

In his letter to Monk he fears running back to the old bondage of kingship, and puts Monk in mind of his former declarations for a commonwealth.

Letters from Lawson, and his officers' resolutions to acquiesce in the determinations of parliament and his excellency; the like of other forces. Lawson.

Sir Peter Killegrew made governor of Pendennis-castle by Monk, and Mr. Maurice made by him governor of Plymouth. Peter Killegrew.

Meetings of some persons of quality with Monk and his officers about bringing in of the king. Monk.

Colonel Fairfax made by Monk governor of Hull, and Overton obeyed.

Order to take off from the file the examination of sir George Booth and his lady. S. G. Booth.

Orders touching the Trinity-house.

The act passed for the proclamation to put the laws in execution against popish priests and recusants.

Hollis made *custos rotulorum* of Dorset. Hollis.

The act passed for the militia of London. Militia.

The act of the militia passed, with a clause that every commissioner before he acted shall acknowledge and declare, that the war undertaken by both houses of parliament, in their defence against the forces raised in the name of the late king, was just and lawful, and that magistracy and ministry are the ordinances of God.

13. The engagement to be true and faithful to the commonwealth without a king or house of lords, voted to be discharged, and all orders for taking it expunged; sergeant Mainard, Prynne, and others to see it done. Engagement.

Vote to discharge Dr. Owen from being dean of Christ-Church, and Dr. Reynolds to be put into that place.

Orders for maimed soldiers.

14. An act passed for approbation of ministers.

Vote to disable those who had assisted in the Irish rebellion, or are papists, to serve as members of parliament; and of those who have been in the war against the parliament, to serve as members of the next parliament. Disabling vote.

Sir George Gerrard made chancellor of the duchy of Lancaster, and Mr. Lechmore attorney of the duchy, and the Officers.

Judges. speaker Lenthal chamberlain of Chester, sergeant Waller chief justice of Chester, sergeant Seys and Mr. Jones judges of North-Wales, Mr. Foxwist second judge in Chester, Mr. Corbet, Mr. Hoskins, and Mr. Manley judges in Wales.

Power to the council of state to issue forth proclamations, as they shall find cause, till the sitting of the next parliament.

Monk godfather to Lenthal's son.

Monk feasted at Clothworkers'-hall.

The public minister of Sweden had audience at the council of state, and declared the king's death.

Monk chosen major-general of the city forces, and advised them to disarm dangerous persons, and to keep guards.

15. Resolution of the house that prizage wines ought to pay no customs. Almost 10,000*l.* given to major general Brown, secured, and 20,000*l.* given to Monk.

An act to put in suit securities taken in the protector's name.

Orders touching moneys.

Register's office. The register's office in chancery granted to Mr. Corbet and Mr. Goodwin; the grant of it to them was vacated, and the difference about that office betwixt Mr. Walter Long and the lady Jermin referred to Hollis and Grimstone.

A bill passed giving power to the council of state in the interval of parliament.

Sweden. Credentials from the king of Sweden, and credentials to Philip Sidney and sir Robert Honywood to that king, referred to the council of state.

A bill passed for the courts of justice in Ireland.

Order to release Lambert upon his parole.

Dr. Wren discharged of his imprisonment, and the council empowered to discharge such others as they think fit.

Order to stay felling woods in the lord St. John's and lord Craven's estates.

The act for the militia in England and Wales passed.

16. An act for conferring 20,000*l.* upon Monk read thrice this day, and passed, and to make him steward and keeper of Hampton-court.

An act passed for settling incumbents in sequestered livings.

Monk. A letter from Monk about the bill of the militia, showing

himself unsatisfied in some clauses of it; but upon a message to him by some of the members he seemed satisfied, but some thought this interposition by him too high.

The act passed for dissolving this parliament, with a proviso not to infringe the rights of the house of peers.

A day of humiliation appointed to seek God for a blessing upon the next parliament.

The form of the writ agreed for elections for the next parliament.

Thus this parliament having from this day dissolved themselves, every one departed to their particular occasions.

17. Several proclamations issued by the council for preservation of the peace.

19. Many made their applications to the king at Bruxels, and some obtained good rewards from him who never merited any thing of him; others obtained pardons. The king.

20. A declaration from the lord Broghill and his officers in Ireland for a free parliament.

Colonel Berry committed by the council; Haslerigge, Desborough, and Kelsey passed their words to the council to submit to the government, and to be peaceable. Desborough.

The common-council invited the council of state and Monk, for their own safety, to reside in the city till the sitting of the parliament; but they, with thanks to the city, did not accept it. City.

Much solicitation was in all parts to get to be parliament-men.

24. The French ambassador visited general Monk, whom he found no accomplished courtier or statesman. 699

26. Several elections of parliament-men were certified fit for the intended business.

30. Letters that the king of Denmark refused the peace mediated between him and Sweden.

31. Proclamations issued out by the council in order to the preservation of the peace.

Mr. Praise-God Barebones signed an engagement to the council of state not to act any thing in disturbance of the peace. Barebones.

Mr. Scot did the like, and his great friend Monk began to be more reserved towards him than formerly. Scot.

April 1660.

2. News of several elections of parliament-men in several places.

London. 3. The officers of the regiments of London came to Monk, and in an oration made by alderman Robinson they sufficiently magnified him, and declared their resolutions to adhere to him and to the council of state and to the next parliament.

4. The council, Monk, and his officers were feasted at Skinners'-hall.

7. Several returns of elections for the next parliament.

At the election of knights for Bucks, where four gentlemen were in competition, sir William Bowyer had one thousand four hundred and ninety-nine voices, colonel Terringham had one thousand three hundred and seventy-nine, Mr. Hambden had one thousand three hundred and fifteen, and Mr. Wynwood had one thousand two hundred and forty-two voices; but indifferent men affirmed that Mr. Wynwood and Mr. Hambden had many more voices than the other two, if right had been done to them; but Bowyer and Terringham were returned.

Needham. 9. The council discharged Needham from writing the weekly intelligence, and ordered Dury and Muddiman to do it.

The council approved divers officers of the militia in several counties and cities.

An address to Monk from the officers of the army of great conformity and obedience to him and to the council, and to the parliament when sitting.

Monk. Monk and his officers and the council entertained at Goldsmiths' hall with a dinner, an interlude, and a banquet.

Lambert. The council published a proclamation for Lambert, who had escaped out of the Tower, to render himself within twenty-four hours, and that none entertain or harbour him.

11. Commissioners of the militia approved by the council several returns of parliament-men.

12. Monk chosen one of the knights for Devonshire unanimously.

Monk and the council were feasted at Vintners'-hall.

13. They were feasted at Fishmongers'-hall.

The city kept up their chains and guards every night.

14. Commissioners sent into Scotland to manage the civil affairs there.

A letter of great courtship from the king of Denmark to Monk, magnifying his merits.

A proclamation of the council that they intend not to abate any of the soldiers' pay, but to provide it for them. Proclamations.

Allen and Courtney committed, and captain Rainsborough, colonel Packer, and captain Wolley secured.

16. A proclamation by the council forbidding the subjects of England, Scotland, and Ireland to make use of any sea commissions to disturb the merchants of the three nations, or our allies.

Several addresses of colonel Unton Crook's regiment, colonel Smithson's regiment, the officers of Carlisle, and of the army in Ireland, declaring their obedience to Monk, the council, and parliament. Addresses.

17. Several elections of parliament-men returned.

18. A muster appointed of the forces in London, and Monk desired to be in the field.

The treaty between England and Portugal signed in the council-chamber by the Portugal ambassador. Portugal.

A mutiny at Hull prevented and punished.

Several officers of the former army imprisoned.

An address to the like purpose as the other from the army in Scotland.

Commissioners sent from Scotland to England to represent the desires of that nation.

Letters from Monk to his officers to apprehend Lambert.

21. A proclamation declaring Lambert and all that joined with him to be traitors. Lambert.

Intelligence of some endeavours in Ireland to alienate the soldiers from their officers discovered.

The like attempts at York discovered.

Intelligence that Lambert intended to rendezvous his party at Edge-hill; Monk intended to march out against Lambert, but hearing that his party was inconsiderable, Monk altered his purpose.

23. Order of the council forbidding stageplayers to act.

Officers of the militia approved by the council.

Colonel Ingoldsby being sent out with a party against Lambert, and having his own regiment and three other Colonel Ingoldsby.

troops of horse, and Lambert having but four troops of horse in all, they met about two miles from Daventry, where captain Haslerigge, son to sir Arthur Haslerigge, led his troop towards Ingoldsby's forlorn, and was taken prisoner (as some said) willingly, and was dismissed again upon his parole, and promise to bring over his troop to Ingoldsby, which was presently done.

This and Barker's troop coming over to Ingoldsby did much dishearten Lambert and his party, yet one of his officers desired leave of him to charge Ingoldsby, assuring himself that thereupon many of Ingoldsby's men would come over to Lambert, who would not permit it, but desired a parley, and moved that Richard might be restored to the protectorship, and some conditions agreed upon.

Lambert was answered, that he himself was one of those who pulled down Richard, and now would set him up again; and that they had no commission to dispute, but to reduce him and his party. Yet Lambert would not fight, nor permit his officers that desired it to fire a pistol, and himself prayed Ingoldsby to let him escape.

One of Lambert's troopers fired a pistol at Ingoldsby, but there was no fighting. Alured's troop came in also to Ingoldsby, and Lambert's wonted courage failed him, neither could he escape, but Ingoldsby took him prisoner. Others took Cobbet, Creed, and others of his party prisoners; Oakey, Axtell, and others escaped, and some troopers with them.

Several addresses from several officers of the army to the same effect as the former.

25. Several disaffected officers of the army secured.

700 Letters from Mountague that the fleet joined with those of
Mountague fleet. the army, and resolved to obey the parliament. This gentleman, one of the generals at sea, had engaged the officers of the fleet, and had made his own terms with the king by a kinsman of his, who was in the fleet with him for that purpose, Mr. Edward Mountague, eldest son of the lord Mountague of Bushton.

This gentleman went often to the king, and made terms for general Mountague and others, which were honourably performed, but he himself was not so well requited for his services as those for whom he acted.

Soldiers. The soldiers generally and the seamen were quite altered

from their former principles and masters; and where any were suspected to be wavering from or disaffected to the present intentions, they were forthwith secured and prevented; and the appointment of their meetings and risings were diligently discovered, and forces sent to hinder them.

The city forces mustered in Hyde-park, and made a gallant show; the lord mayor and aldermen were present, many tents were in the field, and much good cheer and wine.

The same day Lambert, Cobbet, and Creed were brought up prisoners to London, and after examination by the council were committed close prisoners to the Tower.

The lord Falconbridge made colonel of Haslerigg's regiment by Monk. Lord Falconbridge.

Both houses, lords and commons, met at St. Margaret's, Westminster, where Dr. Reynolds preached to them, and after sermon they went to their several houses: the commons chose sir Harbottle Grimstone for their speaker. Parliament.

A day of public humiliation moved by the lords, and agreed by the commons.

Many members of parliament came to visit and consult Monk.

20. Committee of privileges named.

Order for a day of thanksgiving for raising up Monk and other instruments in delivery of this nation from thraldom and misery. Thanksgiving.

Order for thanks to Monk for his eminent and unparalleled services, and for thanks to colonel Ingoldsby.

27. Orders about returns of elections.

Colonel Ashfield and lieutenant colonel Miller discharged upon their engagement not to act any thing against the present power.

Major general Harrison and others secured.

Prisoners of Lambert's party brought to London.

Divers disaffected soldiers secured.

28. Divers soldiers and agitators apprehended in several places.

May 1660.

1. Sir John Granville, of the bedchamber to the king, brought from Breda his majesty's letter and declaration to the house of lords; his message and declaration to the house of commons; his letter and declaration to Monk, to be Letter from Breda.

communicated to his officers; and his majesty's letter and declaration to the lord mayor, aldermen, and common-council of London.

Declaration. By the Declaration the king grants a free general pardon to all that shall lay hold of it within forty days, except such as the parliament shall except, and a liberty to tender consciences, and that none be questioned for difference of opinion in matters of religion which do not disturb the peace of the kingdom:

That differences, and all things relating to grants, sales, and purchases, shall be determined in parliament; and he will consent to acts for that purpose, and for satisfaction of the arrears to Monk's officers and soldiers, and they to be received into his majesty's service and pay.

Luke Robinson. These things being read in the house of commons, Mr. Luke Robinson, formerly a most fierce man against the king, did now first magnify his grace and goodness.

Lords' house. The lords' house gave thanks to sir John Granville, and declared, that, according to the ancient and fundamental laws of this kingdom, the government is and ought to be by king, lords, and commons; and the lords desired that some way may be considered how to make up the breaches, and to obtain the king's return again to his people.

They voted a committee, to join with a committee of the house of commons, to consider of an answer to his majesty's gracious letter and declaration, and to prepare something in order to this business.

Commons. The king's letter and declaration to the house of commons was read, and his letter to Monk; and they named a committee to prepare an answer to the king's letters, expressing the joyful sense of the house of his gracious offers, and their humble thanks for them, with profession of their loyalty and duty to his majesty, and that they will give a speedy answer to his gracious proposals.

The house resolved to present 50,000*l.* to the king, and the committee ordered to go to the city to advance it upon security and interest, and to treat about raising a further sum for the army.

Order for Monk to communicate his letter from the king to the officers and soldiers, and to return an answer to the king; which Monk did accordingly, and it was received with

great joy. Order to enter the king's letter in the Journal-book.

The commons agreed with the lords' vote of government by king, lords, and commons, and appointed a committee to search the Journals, what acts or orders there had been made inconsistent herewith.

An assessment agreed of 70,000*l.* per mensem, for three months.

Bonfires and ringing of bells, and great guns fired, in joy of these resolves. Bonfires.

2. An address to Monk from the officers of the army, rejoicing in his majesty's offers of indemnity, of liberty of conscience, satisfaction of arrears, and confirmation of purchases, read in parliament.

Dr. Clarges, a member of the house, had leave to go to the king from Monk.

Sir John Granville, that brought the king's letter, had the thanks of the house, and 500*l.* ordered for him to buy him a jewel.

The city had leave to send an answer to the king's letter to them. City.

Letters that Lambert's party were all discharged and dispersed.

The city agreed to lend 50,000*l.* to the house of commons.

3. Orders touching returns of elections.

The lords agreed upon some of their members, six, to be sent to the king; and the common-council of London did the like, and gave 300*l.* to the lord Mordant and sir John Granville, who brought the letters from the king, to buy each of them a ring.

4. The commons agreed to an order of the lords for favour to the duke of Bucks for restoring his estate. Duke of Bucks.

The house gave leave to the members of the common-council, named by them, to go to the king; and resolved to 701
send twelve of their own members to his majesty.

Dr. Clarges, with others, went to the king with Monk's answer to the king's letters to him, and the address of the army. Dr. Clarges.

5. Orders touching returning of elections.

An opinion being discoursed abroad that the long parliament could not be dissolved but by themselves, and the

king's and lords' consent, which was not had for their dissolving; and another opinion being given out, that if the long parliament were dissolved, then the triennial parliament was to take place, and no other, by that act of parliament;

Disputes. The commons thereupon passed a bill for removing of disputes touching the sitting of this parliament: and they passed a declaration for adjourning part of next Easter-term, to which the lords concurred; and the commons agreed that

Great seal. the earl of Manchester be one of the lords commissioners for the great seal.

General Mountague. General Mountague at sea, to whom the letter to Monk was also directed from the king, upon the receipt of it and of the declaration, he called together the officers of the several ships, and communicated the letter and declaration to them, who expressed great joy and satisfaction therein, and desired Mountague to represent the same, with their humble thanks, to his majesty.

Then Mountague fired the first gun himself, and all his ships answered it round, with loud acclamations as their general had done, crying, *God bless the king!* and the general gave two pipes of Canary to his men.

7. Order of the common-council, that at his majesty's return, the new park, which Oliver had given them, should be presented to the king, and he assured that the city had only kept it as stewards for his majesty.

The commons gave leave to general Mountague to return an answer to the king's letter to him.

Proclamation. Resolved by both houses, that the king be proclaimed to morrow king of England, Scotland, France, and Ireland, and a committee of both houses to consider of the manner of it.

A declaration against tumults, and to continue justices of peace and other officers in their places.

King's arms. The king's statue again set up in Guildhall, and the states' arms taken down, and the king's arms set up in their place.

Monk removed his guards out of the city; colonel Salmon discharged upon security; new flags and standards and paintings ordered for the ships.

8. Resolved by the commons, that the king be desired to make a speedy return to his parliament, and to the exercise of his kingly office.

A committee appointed to consider of the manner of his

majesty's return, and to prepare things necessary for his reception.

The king was solemnly proclaimed at Westminster-hall gate, the lords and commons standing bare by the heralds whilst the proclamation was made. Then he was proclaimed in the several usual places in the city, the lord mayor, recorder, and officers being present in their formalities, and the militia forces being there also; and the people gave loud acclamations and shouts, the bells rang, the great guns and small shot gave many volleys, and the city was full of bonfires and joys. King proclaimed. Bonfires.

9. Several addresses to Monk from officers of the army, and from those of Dunkirk, of their submission to the king and his government.

Order for all ministers to pray for the king and the duke of York publicly, and to give thanks to God for the king's letters and declaration. Prayers.

10. The day of thanksgiving solemnly kept: Common-Prayer was read before the lords.

After sermon both houses sat, and the commons voted 5000*l.* to the duke of York and 5000*l.* to the duke of Gloucester, as a present from them.

Order to stop felling woods and committing waste in the king's lands.

One committed for speaking treasonable words against the king.

The commissioners for Ireland desired, that in regard his majesty in his declarations had taken no notice of Ireland, almost destroyed by the rebellion, that the parliament would give their assistance for the calling of a parliament there; which both houses agreed to offer to his majesty. Ireland.

The commons voted 5000*l.* more, in all 10,000*l.*, for a present to the duke of York.

Both houses declared the continuance of all officers of the revenue and of the navy.

Order about the moneys collected for the protestants of Piedmont and Poland.

Order for all lodgers in Whitehall to quit their lodgings, except Monk and his family.

An act of oblivion under consideration by the commons, who heard the proceedings at the king's trial read.

The earl of Winchelsea made by Monk governor of Dover.

Major Holmes committed.

Col. Norton. Some fanatics near Portsmouth quelled by colonel Norton.

Letters that the Spanish ambassador and other public ministers congratulated the king at Breda; and the States presented him with 6000*l.*, and invited him to the Hague; that Dr. Clarges was long with the king.

Letters from Ireland of their proclaiming the king there.

22. Order for two new maces.

Monk had leave to attend the king at his landing.

23. Mr. Philip Howard, the earl of Berks's son, brought a letter to the house of lords from the Hague.

The commons received a letter from their commissioners at the Hague.

Letters of the king's reception at the Hague: many knights made by him.

Letters of proclaiming the king in several cities and places in the kingdom with great appearances of joy.

Declarations. Order for two declarations, one prohibiting any Irish rebels to enter into lands there, and the other against papists.

Monk received another letter at Rochester from the king.

25. The 50,000*l.* for the king not yet advanced by the city.

Divers maids of the city petitioned the lord mayor for leave to meet the king in white clothes.

Letters to the city from their commissioners of high commendation of the king.

The lords agreed upon a congratulatory letter to be presented to the king at his landing.

702 A bill for taking away the court of wards committed, and a vote passed to give the king 100,000*l.* per annum in lieu of it.

Court of wards.

Letters from general Mountague of the king's approach to England, and letters congratulatory ordered to be presented to him at his arrival.

26. Order for relief of maimed soldiers, widows, and orphans of soldiers.

Mr. Clement, one of the king's judges, committed to the Tower, and ordered to seize the goods of all that sat as judges upon the late king.

The king knighted the commissioners sent to him from the

parliament, and those of the city; and the ministers sent with them had discourse with the king, and were much satisfied with him.

The States highly entertained and presented the king at the Hague.

Letters that yesterday the king and the duke of York and the duke of Gloucester landed near Dover, where Monk met them, and the king kissed and embraced him, and walked with him to his coach, and Monk rode in the coach with the king and the dukes, and that night they came to Canterbury.

27. The king stayed at Canterbury and heard sermons.

28. He sent to the lords that he would be at Whitehall to morrow.

29. An act passed for continuance of process and judicial proceedings.

(*) This day the king made his solemn entry into London. King's entry.

At St. George's Fields the lord mayor and aldermen received him: the lord mayor on his knees delivered the sword to the king, and the king gave it back to him, and knighted him: and after a short repast in the lord mayor's tent, the king proceeded in his entry.

The streets were railed in, the windows and balconies hung with tapestry, the militia forces on one side of the streets, and the companies in their liveries and with their streamers on the other side, to Temple-bar, and from thence to Whitehall by the militia forces and several regiments of the army, and gentlemen and former officers of the king's army on both sides of the streets.

First marched a troop of about three hundred gentlemen in rich clothes; after them another troop, of about two hundred, in velvet coats, with footmen in liveries; then several other troops with trumpets and lackeys in liveries; then trumpets and the sheriffs' men in red clothes with silver lace, about seventy-nine of them; then the companies of London with their streamers, and every one of them wore a gold chain, about six hundred.

Then rode twelve ministers; after them the knights of the bath, with their esquires in their habits; then kettle drums and trumpets, and the king's lifeguard; then the city marshal, officers and aldermen, the maces and heralds; then the lord mayor, bare, carrying the sword; then Monk and

Buckingham, bare; then the king between the dukes of York and Gloucester.

After them a troop, bare, with white colours; then Monk's lifeguards, and after them five regiments of the army's horse; and lastly, two troops of noblemen and gentlemen: and thus they marched to Whitehall, where Monk was invested with the garter and sworn of the privy-council, and sir Anthony Ashley Cooper was also made a privy-councillor.

Foreign ambassadors, especially of Sweden, made great testimony of their joy for this restitution of the king; and this day was his birthday.

THE END.

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